



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

July 18, 2012

Presidio Chatsworth Partners, LLC  
601 S. Figueroa Street, Suite 2150  
Los Angeles, CA 90017

**REGARDING: APPEAL OF THE HEARING OFFICER'S DECISION TO THE REGIONAL  
PLANNING COMMISSION**

**PROJECT NO. 99-239-(5)  
OAK TREE PERMIT NO. 201200001  
AMENDED VESTING TENTATIVE TRACT MAP NO. 53138-1  
MODIFICATION TO CONDITIONAL USE PERMIT NO. 201100160  
ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT NO. 99-239**

**NORTH OF STATE ROUTE 118, AT THE NORTHERLY TERMINI OF CANOGA AVENUE  
AND TOPANGA CANYON BOULEVARD, CHATSWORTH**

The Regional Planning Commission, by its action of **July 18, 2012**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

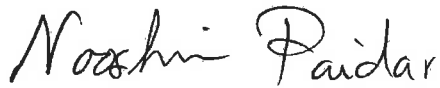
The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at **5:00 p.m. on July 30, 2012**. **Appeals must be delivered in person.**

**Appeals:** **To file an appeal, please contact:**  
Executive Office of the Board of Supervisors  
Room 383, Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles, CA 90012  
(213) 974-1426

Upon completion of the appeal period, the notarized Affidavit of Acceptance for the oak tree permit and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Jodie Sackett of the Land Divisions Section at (213) 974-6433. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner

A handwritten signature in black ink that reads "Nooshin Paidar". The signature is fluid and cursive, with the first name "Nooshin" and the last name "Paidar" clearly distinguishable.

Nooshin Paidar, AICP  
Supervising Regional Planner  
Land Divisions Section

Enclosures: Findings and Conditions of Approval, Addendum to Final EIR, Affidavit of Acceptance (Permittee's Completion)

C: Board of Supervisors  
DPW (Building and Safety)  
Zoning Enforcement  
Jeanie Plumb  
Hans Giraud (e-mail)  
Ramy Awad (e-mail)  
Charles Moore (e-mail)  
Phillip Hess (e-mail)

NP:jds

**FINDINGS OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. 99-239-(5)  
SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of the Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") on February 21, 2011. TR 53138 was heard concurrently with Oak Tree Permit ("OTP") No. 201200001 and Conditional Use Permit Modification ("CUP Mod") No. 201100160.
2. The Second Amendment proposes the following amendments to Vesting Tentative Tract Map No. 53138 ("TR 53138"):
  - Reduction in the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots).
  - Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
  - Revised interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
  - Waiver of street frontage on lots fronting private driveways and fire lanes;
  - Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
  - Modification of Condition No. 11 to allow 34 lots to have less than the required street frontage; and
  - Modification of the text of Condition Nos. 20, 21, 25, 26, 27, 28, 29, 30, 31, 32 and 36 for the vesting tentative tract map to reflect the approved amendments.
  - Modification of Condition No. 38 for additional language related to trails construction, maintenance and enforcement.
3. OTP No.201200001 is a request to remove 42 oak trees and encroach into the protected zones of 13 oak trees (no heritage oaks).
4. CUP Mod No. 201100160 is a request to modify the text conditions of CUP 99-239 – (5) to reflect the changes in numbers and types of lots, and lot numbers, proposed by the amended tentative tract map, and modification to Condition No. 3 of CUP 99-239 – (5) to allow a reduction in the number of horse-keeping lots from 55 to 41. Also requested is a change to Condition No. 61 to reflect additional language for trails construction, maintenance and enforcement.
5. Approval of this request is contingent upon the approval of all the other requests for entitlements included in Project No. 99-239 – (5).
6. If this amendment map is denied at the public hearing and the denial is sustained by subsequent appeals, the subdivider may proceed with the development approved under previous approvals once the final map is recorded.

**PROJECT NO. 99-239-(5)**

**SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**

**FINDINGS**

**Page 2 of 7**

7. Only items proposed for modification can be considered by the Commission at the public hearing. All other project features and conditions remain as previously approved.
8. The subject site is located at the north of California State Route 118 (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
9. The irregularly-shaped property is 230.58 gross acres in size with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. It is generally vacant though five single-family residences are included in Not A Part ("NAP") areas surrounded by the project site.
10. The majority of the subject property was historically known as the Deerlake Highlands Tract, a Record of Survey subdivision of approximately 2,275 lots recorded in the late 1920's. Since their creation in the late 1920's, these substandard lots have occasionally been conveyed, sold, and acquired. These lots have been merged into 624 lots, each with a minimum of 6,000 square feet through the processing and issuing of 624 unconditional certificates of compliance.
11. The residences will take access from internal private and future streets as well as private driveways and fire lanes, which take access from Poema Place a 64-foot wide dedicated public street, and Canoga Avenue, a variable-width dedicated public street.
12. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acres. The project's overall proposed density is approximately 1.7 dwelling units per acre.
13. Density transfer of 23 units from the southeasterly portion of the site designated Urban to a portion of the Non-Urban area within the southwesterly portion of the site was included in the original project. However, due to the reduction in overall number of units, this density transfer is not included in the amended project.
14. The project site is currently A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential - 6,000 Square Feet Minimum Required Lot Area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
15. The proposed project is required to comply with the development standards of the A-1-1 and R-1-6,000 zones. Detached residences are permitted in the A-1-1 zone pursuant to Section 22.24.070 of the Los Angeles County Code ("County Code") and in the R-1-10,000 zone, pursuant to Section 22.20.070 of the County Code.
16. The amended tentative tract map dated July 12, 2011, depicts 344 lots, including 314 single-family lots (including seven flag lots), one debris basin lot, one heli-spot lot (a flag lot), one sheriff's storefront facility lot, 26 open space lots, one sewer pump station lot, and one

**PROJECT NO. 99-239-(5)**

**SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**

**FINDINGS**

**Page 3 of 7**

remainder lot on 230.58 acres. The single-family lots range in size from approximately 7,500 square feet in area to approximately 55,000 square feet in area. The lots are accessed from public streets and from private driveways and fire lanes that connect with Poema Place and Canoga Avenue. Proposed grading is 1.8 million cubic yards of combined cut and fill total.

17. Staff received one letter from the Deerlake Ranch Construction Committee dated January 12, 2011, supporting the proposed amendments to TR 53138. The letter also requested that the Los Angeles County Department of Parks and Recreation take any necessary steps to ensure that individual lot owners do not impede the use of trails that cross their respective property lines. The Committee was created by Condition No. 48 of CUP 99-239- (5), approved by the Los Angeles County Board of Supervisors ("Board") on August 10, 2004. The Committee, composed of six individuals who shall be property owners, tenants, business owners, and/or other interested persons in the Chatsworth area as appointed by the Supervisor of the Fifth Supervisorial District, is to meet quarterly (or less frequently at the direction of the Committee) with the permittee and his contractor representatives.

Staff received two letters from neighbors to the project site expressing concerns about removal of oak trees; development of the natural area; and access to the trail network that, in part, crosses private property within a gated community.

18. The subject Second Amendment, and associated oak tree permit and CUP modification were initially heard by a Los Angeles County Hearing Officer, Gina Natoli, on February 21, 2012.
19. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer heard a presentation from staff that summarized the requested entitlements and noted that more than one protest to the CUP modification had been received.
20. During the February 21, 2012 Hearing Officer public hearing, the applicant's representatives discussed the procedure for denying the CUP modification. They questioned whether opponents must state a reason for their opposition for that opposition to be valid and whether the nature of the opposition was within the limited scope of the hearing. County Code Section 22.56,1630 (A) does not require opponents to explain the nature of their opposition for that opposition to be valid.
21. During the February 21, 2012 Hearing Officer public hearing, one person representing Equestrian Trails Incorporated Corral No. 54 and the Deerlake Ranch Construction Committee testified in support of the project. They indicated support for the proposed modifications; stated that several features in the proposed plan will help insure that the trails will be properly maintained and not a burden to the property owners whose lots the trails cross; and that the Los Angeles County Sheriff's Department would deal with any property owner who impeded access to the trail.
22. During the February 21, 2012 Hearing Officer public hearing, two persons indicated they opposed the project but, due to the fact that the project was to be denied, reserved their remarks on the merits of the project until further proceedings are initiated by the applicant.

23. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer noted that the denial of the condition modification request is not a withdrawal of the project; that the basis for the denial was clearly stated in County Code Section 22.56,1630 (A); and that the County Code does not require opponents to explain the nature of their opposition for that opposition to be valid.
24. During the February 21, 2012 public hearing, the Hearing Officer clarified that only the requested modifications are considered during any proceeding on an amendment map and CUP modification, both at the hearing and at the appeal level.
25. After all testimony and discussion on February 21, 2012, the Hearing Officer closed the public hearing and denied CUP Mod 201100160, Second Amendment to Vesting Tentative Tract Map No. 53138, and OTP 201200001 because more than two protests had been received.
26. On July 18, 2012, the Commission conducted a duly-noticed public hearing to hear the appeal of the subject project.
27. During the July 18, 2012 Commission public hearing, the Commission heard a presentation from staff and the applicant's representative. Testimony was also heard from one person who had earlier protested the project and voiced concerns related to the construction, maintenance and enforcement of public trails proposed within the development. The concern was that the proposed trails would "disappear" behind gates and within the private lots of the tract, effectively becoming unusable by the public. However, the person testified that, with the added language related to trails construction, maintenance and enforcement (particularly pre-inspections during each phase of trail construction, and dedicated signage posted at each trail location), as well as the added buffer distance of 10 feet between the gated road entry and trail route, these concerns had been fully addressed, and that the protest could be withdrawn.
28. During the July 18, 2012 Commission public hearing, the applicant's representative made a presentation and gave testimony that the proposed amendments did not affect trail alignments from the original project approval. In addition, the representative stated that the only physical change to trails was moving a trail entry point an additional 10 feet of buffer distance away from the gated street entry.
29. During the July 18, 2012 Commission public hearing, the Commission discussed the proposed project and made the following comments:
  - a. The Commission stated that the reduction in number of single-family lots from 375 to 314 is beneficial with respect to reducing grading and impacts to oak trees.
  - b. The Commission asked the applicant whether the trails located in private "backyards" would have signage. The applicant responded that they will, in order to properly maintain and enforce the trail route.
  - c. The Commission asked the applicant who would own and maintain the proposed trails. The applicant responded that they would be public trails maintained by Parks and Recreation.
  - d. The Commission asked the applicant whether the applicant felt that the concerns of the protestants had been met. The applicant responded "yes".

- e. The Commission asked the applicant why a cul-de-sac was proposed in an unusual location on the southerly side of the project. The applicant responded that the cul-de-sac is related to a Public Works bridge requirement and transitions to a narrower private driveway and fire lane at the cul-de-sac location. The applicant also responded that the private driveway/fire lane design greatly reduces hillside grading impacts otherwise required for a full-width public street.
  - f. The Commission asked the applicant if sewer improvements approved with the original project were still to be constructed. The applicant responded "yes".
  - g. The Commission asked why lot configurations in the northerly portion of the project were changed. The applicant responded this was to allow further reduction in grading amounts.
  - h. The Commission stated that the revised Community Character Statement ("booklet") still included older graphics of larger homes from the previous project design. The applicant stated that only those portions of the revised booklet related to the proposed amendments had been modified.
  - i. The Commission made the statement that the original project approved eight years ago was a fine project but was not allowed to be built at that time due to the economic downturn.
  - j. Lastly, the Commission stated that the amended project brought forward today is superior to the original project of eight years ago.
30. The Commission finds that the requested modification in the overall number of lots as indicated in the chart below is acceptable, as this modification will leave an additional approximately 19 acres of the project site undeveloped and have the additional benefits of reducing greenhouse gas emissions and vehicle traffic to and within the project site during the construction and operations phases of the project, and reducing demand for public utility services during the operations phase of the project.
31. The Commission finds that the following modifications to the approved private and future streets are acceptable as Public Works has determined that the proposed private driveways and fire lanes can adequately serve the expected traffic for the project; the Fire Department has determined that the private driveways and fire lanes will provide adequate access for fire-fighting vehicles; Regional Planning has determined that the four-foot wide sidewalks on either side of the proposed private driveways and fire lanes provide adequate pedestrian access to the project; and these modifications will reduce overall project grading:
- Poema Place between Topanga Canyon Road to a point approximately 280 feet east of the Poema Place bridge, a 55-foot wide private and future street with a 40-foot wide paved roadway, to become a private driveway and fire lane with a 42-foot wide right of way and a 36-foot wide paved roadway; and
  - Interior private and future streets that have a 51-foot to 58-foot wide right of way and a 34-foot to 36-foot wide paved roadway to become private driveways and fire lanes with either a 42-foot wide right of way and a 36-foot wide paved roadway or a 38-foot wide right of way and a 34-foot wide paved roadway.
32. The Commission finds that the requested waiver of street frontage to allow private driveways and fire lanes, pursuant to County Code Section 21.24.040 is acceptable as:

**PROJECT NO. 99-239-(5)**  
**SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**  
**FINDINGS**

**Page 6 of 7**

- The applicant's goal in proposing private driveways and fire lanes is to reduce the amount of project grading and, thus, reduce alteration of the existing topographic conditions;
  - The parcels are being created originally to be served by private driveways and fire lanes so no existing pattern of ownership is affected; and
  - Public Works and the Fire Department have determined that the proposed private driveways and fire lanes will adequately serve the proposed vehicular traffic and provide satisfactory access for fire-fighting vehicles so the public health, safety, and general welfare will not be adversely affected.
33. The Commission notes that the result of the reduction in the overall number of lots and the modification of private and future streets to private driveways and fire lanes is a reduction in overall project grading from 2.2 million cubic yards combined cut and fill to 1.8 million cubic yards combined cut and fill.
34. The Commission finds that County Code Section 21.24.300(A), which states that, wherever practical, frontage at the right-of-way line for lots on a cul-de-sac knuckle shall be 40 feet or more, and County Code Section 21.24.300 (B), which states that, wherever practical, the frontage at the right of way line shall be equal to or greater than the average lot width for lots not on a turnaround or cul-de-sac knuckle, provides some latitude to the Commission in approving requested modifications of lot frontage. For the R-1-6,000 zone, the required width is 50 feet. For the A-1-1 zone, the required width is 60 feet. The Commission finds that modification of lot frontage to less than the frontage required by County Code Sections 21.24.300 (A) and (B), as requested by the applicant for Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311 is acceptable.
35. The Commission finds that proposed modifications to the text of vesting tentative tract map approval conditions no. 20, 21, 25, 26, 27, 28, 29, 30, 31, 32 and 36 are acceptable as these modifications reflect only changes in the number of lots, type of lots, lot numbers, types of streets, and street names approved by this amendment and do not modify the intent of these conditions.
36. Approval of this amendment map does not change the August 4, 2015 expiration date of Vesting Tentative Tract Map 53138.
37. Future development on the proposed parcels must comply with the Los Angeles County Low Impact Development, Green Building, and Drought-Tolerant Landscaping Ordinances, as applicable, prior to building permit issuance.
38. This tract map was originally approved as a "vesting" tentative map. As such, it is subject to the provisions of Section 21.38.010 of the County Code. The Second Amendment does not change the "vesting" status.
39. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act ("CEQA") and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the



**PROJECT NO. 99-239-(5)**

**SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**

**FINDINGS**

**Page 7 of 7**

previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.

40. After consideration of the addendum to the FEIR and the FEIR itself, together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the proposed amendment will have a significant effect on the environment, finds the addendum reflects the independent judgment and analysis of the Commission, and approves the addendum.
41. Approval of this amendment is conditioned on the subdivider's compliance with the attached conditions of approval.
42. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Los Angeles Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**THEREFORE, THE COMMISSION:**

1. Adopts the addendum to the FEIR and certifies that it has been completed in compliance with CEQA and the State and County guidelines related thereto.
2. Approves the Second Amendment to Vesting Tentative Tract Map No. 53138 subject to the attached conditions and recommendations of the Los Angeles County Subdivision Committee.

**PROJECT NO. 99-239-(5)**  
**SECOND AMENDMENT TO TENTATIVE TRACT MAP NO. 53138**  
**MODIFIED CONDITIONS**

The Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") proposes to amend certain conditions of approved Vesting Tentative Map No. 53138 ("TR 53138"), as indicated below.

1. Condition No. 10, as currently approved, reads as follows:

Provide at least 40 feet of frontage at the property line for each lot fronting on a cul-de-sac and knuckle, and at least 50 feet of frontage at the property line for all other lots, except for flag lots. Provide approximately radial lot lines for each lot.

With the requested modification, the applicant is adding the following to Condition No. 10, and it would read as follows:

Provide at least 40 feet of frontage at the property line for each lot fronting on a cul-de-sac and knuckle, and at least 50 feet of frontage at the property line for all other lots, except for Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311, which may have the reduced frontage indicated on the Amended Vesting Tentative Tract Map dated July 12, 2011, and except for flag lots. Provide approximately radial lot lines for each lot

2. Condition No. 20, as currently approved, reads as follows:

Show "A" Street, "D" Street through "K" Street, "B" Street south of "L" Street, and "C" Street north of "N" Street as dedicated streets on the final map.

With the requested modification, the applicant is revising and adding the following to Condition No. 20 and it would read as follows:

Show ~~"A" Street, "D" Street through "K" Street, "B" Street south of "L" Street, and "C" Street north of "N" Street~~ Canoga Avenue and Bullfinch Road, south of the proposed gates, Nogan Drive and Poema Place from Canoga Avenue to cul-de-sac as dedicated streets on the final map.

3. Condition No. 21, as currently approved, reads as follows:

Show "B" Street north of "K" Street, "C" Street north of "K" Street, and "L" Street through "X" Street as private and future streets on the final map

With the requested modification, the applicant is revising and adding the following to Condition No. 21 and it would read as follows:

Show ~~"B" Street north of "K" Street, "C" Street north of "K" Street, and "L" Street through "X" Street as private and future streets~~ project access as private driveways and fire lanes on the final map

4. Condition No. 25, as currently approved, reads as follows:

Prior to recordation of any final map unit that includes "T" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend through Lot 266 from the northerly tract boundary to private and future "T" Street, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 28 feet, and a maximum of 58 feet in width.

**PROJECT NO. 99-239- (5)**  
**SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138**  
**AMENDED CONDITIONS**

**Page 2 of 6**

With the requested modification, the applicant is revising and adding the following to Condition No. 25 and it would read as follows:

Prior to recordation of any final map unit that includes ~~"T" Street~~ Schindler Way, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend ~~through by Lot 266- 255~~ from the northerly tract boundary to ~~private and future "T" Street private driveway and fire lane~~ Schindler Way, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 28 feet, and a maximum of 58 feet in width.

5. Condition No. 26, as currently approved, reads as follows:

Prior to recordation of any final map unit that includes "T" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project, including those commonly referred to as the "Deerlake Addition." The easement shall extend. The easement shall extend through Lot 266 from the northerly tract boundary to private and future "T" Street, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 36 feet, and a maximum of 58 feet in width.

With the requested modification, the applicant is revising and adding the following to Condition No. 26 and it would read as follows:

Prior to recordation of any final map unit that includes ~~"T" Street~~ Schindler Way, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project, including those commonly referred to as the "Deerlake Addition." The easement shall extend ~~through by Lot 266~~ 337 from the northerly tract boundary to ~~private and future driveway and fire lane "T" Street~~ Schindler Way, continuing to a public road, as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of ~~36~~ 32 feet, and a maximum of ~~58~~ 42 feet in width.

6. Condition No. 27, as currently approved, reads as follows:

Prior to the recordation of any final map unit that includes "X" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend from the northerly property line of the project site at Lot 7 of Section 6, through and over "X" Street, across and within those portions of all private and future streets which are northerly of the depicted gate entries on Tract Map No. 53138, to a public road, and shall be 64 feet in width, including slope easements. The easement shall terminate if and when the County of Los Angeles accepts the applicant's offer of dedication of "X" Street.

With the requested modification, the applicant is revising and adding the following to Condition No. 27 and it would read as follows:

Prior to the recordation of any final map unit that includes "X" Street, submit evidence satisfactory to the Director that an easement for ingress, egress, and

underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend from the northerly property line of the project site at Lot 7 of Section 6, through and over "X" Street, across and within those portions of all private ~~and future streets~~ driveways and fire lanes which are northerly of the depicted gate entries on Tract Map No. 53138, to a public road, and shall be 64 feet in width, including slope easements. The easement shall terminate if and when the County of Los Angeles accepts the applicant's offer of dedication of "X" Street.

7. Condition No. 28, as currently approved, reads as follows:

Grant to all persons holding title to land within the County of Los Angeles and the heirs, successors, and assigns of said persons, as their interest may now or hereafter appear of record, a non-exclusive easement for ingress and egress, road, and utility purposes over the private and future streets within this subdivision to the satisfaction of the Department of Public Works and the Department of Regional Planning.

With the requested modification, the applicant is revising and adding the following to Condition No. 28 and it would read as follows:

Grant to all persons holding title to land within the County of Los Angeles and the heirs, successors, and assigns of said persons, as their interest may now or hereafter appear of record, a non-exclusive easement for ingress and egress, road, and utility purposes over the private ~~and future streets~~ driveways and fire lanes within this subdivision to the satisfaction of the Department of Public Works and the Department of Regional Planning.

8. Condition No. 29, as currently approved, reads as follows

Permission is granted to use the alternate street cross section to the satisfaction of the Department of Regional Planning and Department of Public Works for "R" Street, "S" Street, "T" Street, "U" Street, "V" Street, and "W" Street.

With the requested modification, the applicant is revising and adding the following to Condition No. 29 and it would read as follows:

Permission is granted to use the alternate street cross section to the satisfaction of the Department of Regional Planning and Department of Public Works for "R" Street, ~~"S" Street, "T" Street, "U" Street, "V" Street, and "W" Street~~ all public streets.

9. Condition No. 30, as currently approved, reads as follows:

Convey and easement for construction of a helispot on Lot 399 to the Consolidated Fire Protection District of the County of Los Angeles for use by said Consolidated Fire Protection District and other emergency personnel. Submit evidence of compliance with this condition to the Director prior to recordation of the final map.

With the requested modification, the applicant is revising and adding the following to Condition No. 30 and it would read as follows:

Convey and easement for construction of a helispot on Lot ~~399~~ 341 to the Consolidated Fire Protection District of the County of Los Angeles for use by said

Consolidated Fire Protection District and other emergency personnel. Submit evidence of compliance with this condition to the Director prior to recordation of the final map.

10. Condition No. 31, as currently approved, reads as follows:

Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the lots designated as remainder parcels. Construction of recreational amenities is permitted. Dedicate on the final map the right to prohibit the construction of residential and accessory structures on the open space lots (Lots 378 through 383, 385 through 393, 398, 400, 401, and 417). Recreational structures may be constructed on portions of Lots 376, 384, and 416 subject to approval of plot plans by the Director.

With the requested modification, the applicant is revising and adding the following to Condition No. 31 and it would read as follows:

Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the lots designated as open space remainder parcels (Lots 315, 317-336, 338-340, 343, 344. Construction of recreational amenities is permitted. ~~Dedicate on the final the right to prohibit the construction of residential and accessory structures on the open space lots (Lots 378 through 383, 385 through 393, 398, 400, 401, and 417). Recreational structures may be constructed on portions of Lots 376, 384, and 416 subject to approval of plot plans by the Director of Planning.~~ Recreational structures/facilities maybe constructed on portions of lots 315, 324, 336, and 343 subject to approval of plot plans by the Director. Water and Sewer structures/facilities may be constructed on lots 327 and 342. Drainage structures/facilities may be constructed within open space lots as shown on the drainage concept/hydrology study approved by the Department of Public Works.

11. Condition No. 32, as currently approved, reads as follows:

Lot 337 shall be used for a sheriff's storefront sub-station to be constructed by the subdivider to the satisfaction of the Sheriff's Department as provided for in Conditional use Permit Case No. 99-239-(5).

With the requested modification, the applicant is revising and adding the following to Condition No. 32 and it would read as follows:

Lot ~~337~~ 316 shall be used for a sheriff's storefront sub-station to be constructed by the subdivider to the satisfaction of the Sheriff's Department as provided for in Conditional use Permit Case No. 99-239-(5).

12. Condition No. 33, as currently approved, reads as follows:

Provide for the ownership and maintenance of the open space lots (Lots 378 through 383, 385 through 393, 398, 400, 401, and 417) by a homeowners' association or dedicate the open space lots to a public agency to the satisfaction of the Department of Regional Planning.

With the requested modification, the applicant is revising Condition No. 33 and it would read as follows:

**PROJECT NO. 99-239- (5)  
SECOND AMENDMENT TO VESTING TENTATIVE TRACT MAP NO. 53138  
AMENDED CONDITIONS**

**Page 5 of 6**

Provide for the ownership and maintenance of the open space lots (~~Lots 378 through 383, 385 through 393, 398, 400, 401, and 417~~ Lots 315, 317 through 336, and 338 through 340, 333, and 334) by the homeowners' association or dedicate the open space lots to a public agency to the satisfaction of the Department of Regional Planning.

13. a) Condition No. 36, as currently approved, reads as follows:

Bond with the Department of Public Works for any recreational structures proposed for Lots 404 and 408 and the equestrian rest area adjacent to Lot 262.

With the requested modification, the applicant is revising and adding the following to Condition No. 36 and it would read as follows:

Bond with the Department of Public Works for any recreational structures proposed for Lots 404 315 and 408 324 and the equestrian rest area adjacent to within Lot 262 336.

- b) Condition No. 38, as currently approved, reads as follows:

**Construct and dedicate equestrian and hiking trails to the County of Los Angeles, or other public agency approved by the County of Los Angeles, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director prior to recordation of the final map or unit map, which includes all, or a portion of the trail.**

**With the requested modification, the applicant is revising Condition No. 38 and it would read as follows:**

**Construct and dedicate equestrian and hiking trails to the County of Los Angeles, or other public agency approved by the County of Los Angeles, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of the Department of Regional Planning prior to recordation of the final map or unit map, which includes all, or a portion of the trail. No building permit shall be issued within any final map, or unit map, until the equestrian and hiking trail within that map has been constructed. In addition,**

- A. The permittee shall make an irrevocable offer of dedication of all trails shown on Exhibit "A" to the County of Los Angeles on the final tract map(s) which includes any portion of the trails.**
- B. The permittee shall construct all equestrian and hiking trails as depicted on Exhibit "A" to the satisfaction of the Department of Public Works and the Department of Parks and Recreation.**
- C. The permittee shall complete the trail grading prior to rough grading certification, and the completion of this trail grading work shall be confirmed by the appropriate County staff in connection with the**

inspection and issuance of rough grading certification. Posting of security in lieu of such actual completion of trails shall not be permitted.

- D. The permittee shall post temporary signs sufficient in size and number so as to be visible and legible from every home site whose lot is traversed by a trail. Each sign shall give notice that a Los Angeles County equestrian trail, open to the public, is located in the area. The Department of Public Works shall not sign off on permittee's completion of rough grading until the Department has confirmed that the signs have been posted.**
- E. The temporary signs shall be continually maintained until the residences are constructed and occupied.**
- F. These conditions may be satisfied incrementally within each project phase so long as the trails are complete prior to any rough grading certification which includes any portion of the trails.**

14. All other conditions of TR 53138 remain as previously approved.

15. Permission is granted to develop the subdivision in accordance with the amendment map dated July 12, 2011.

16. Permission is granted to make the following changes to the tentative tract map:

- Reduction in the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots).
- Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
- Revision of interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
- Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards; and
- Allowing Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311 to have less than the required street frontage.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. 99-239-(5)  
CUP MODIFICATION NO. 201100160**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Conditional Use Permit Modification ("CUP Mod") No. 201100160 on February 21, 2011. CUP Mod No. 201100160 was heard concurrently with the Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") and Oak Tree Permit ("OTP") No. 201200001.
2. CUP Mod No. 201100160 is a request to modify Condition No. 3 of CUP 99-239-(5) to allow a reduction in the number of horse-keeping lots from 55 to 41, and to modify the text of Condition Nos. 1, 2, 16, 20, 22, 23, 24, 25, 26, 56, 57, 64 and 65 of CUP 99-239 – (5) to reflect the changes in numbers of lots, types of lots, lot numbers, types of streets, and street names approved by the proposed second amendment to TR 53138. Also requested is a change to Condition No. 61 to reflect additional language for trails construction, maintenance and enforcement.
3. The Second Amendment requests the following :
  - Reduction in the overall number of lots from 421 (including 375 single-family lots) to 345 lots (including 314 single-family lots).
  - Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
  - Revised interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
  - Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
  - Waiver of street frontage on lots fronting private driveways and fire lanes;
  - Modification of Condition No. 11 to allow 34 lots to have less than the required street frontage;
  - Modification of Condition No. 38 for additional language related to trails construction, maintenance and enforcement; and
  - Modification of the text conditions of approval for the vesting tentative tract map to reflect the approved amendments.
4. OTP No. 201200001 is a request to remove 42 and encroach into the protected zones of 13 oak trees (no heritage oaks).
5. Condition No. 16 of CUP 99-239 – (5) states that the Community Character booklet is part of the Exhibit "A" for the CUP. The applicant has amended the Community Character booklet to reflect the changes requested by the Second Amendment and CUP Mod 201100160. Approval of the amended Exhibit "A" map will include approval of the amended Community Character booklet.
6. Approval of this request is contingent upon the approval of all the other requests for



**PROJECT NO. 99-239-(5)**  
**CUP MODIFICATION NO. 201100160**  
**FINDINGS**

**Page 2 of 6**

entitlements included in Project No. 99-239 – (5).

7. If this CUP modification is denied at the public hearing and the denial is sustained by any subsequent appeals, the subdivider may proceed with the development approved under previous approvals once the final map is recorded.
8. Only items proposed for modification can be considered by the Commission at the public hearing. All other project features and conditions remain as previously approved.
9. The subject site is located at the north of California State Route 118 (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
10. The irregularly-shaped property is 230.58 gross acres in size with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. It is generally vacant though five single-family residences and the foundations of several other residences exist on the site.
11. The majority of the subject property was historically known as the Deerlake Highlands Tract, a Record of Survey subdivision of approximately 2,275 lots recorded in the late 1920's. Since their creation in the late 1920's, these substandard lots have occasionally been conveyed, sold, and acquired. These lots have been merged into 624 lots, each with a minimum of 6,000 square feet through the processing and issuing of 624 unconditional certificates of compliance.
12. The residences will take access from internal private and future streets and private driveways and fire lanes, which take from Poema Place a 64-foot wide dedicated public street, and Canoga Avenue, a variable-width dedicated public street.
13. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acres. The project's overall proposed density is approximately 1.7 dwelling units per acre.
14. Density transfer of 23 units from the southeasterly portion of the site designated Urban to a portion of the Non-Urban area within the southwesterly portion of the site was included in the original project. However, due to the reduction in overall number of units, this density transfer is not included in the amended project.
15. The project site is currently A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential - 6,000 Square Feet Minimum Required Lot Area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
16. The proposed project is required to comply with the development standards of the A-1-1 and R-1-6,000 zones. Detached residences are permitted in the A-1-1 zone pursuant to Section

**PROJECT NO. 99-239-(5)**  
**CUP MODIFICATION NO. 201100160**  
**FINDINGS**

**Page 3 of 6**

22.24.070 of the Los Angeles County Code ("County Code") and in the R-1-10,000 zone, pursuant to Section 22.20.070 of the County Code.

17. The amended tentative tract map dated July 12, 2011, depicts 344 lots, including 314 single-family lots (including seven flag lots), one debris basin lot, one heli-spot lot (a flag lot), one sheriff's storefront facility lot, 26 open space lots, one sewer pump station lot, and one remainder lot on 230.58 acres. The single-family lots range in size from approximately 7,500 square feet in area to approximately 55,000 square feet in area. The lots are access from private driveways and fire lanes that connect with Poema Place and Canoga Avenue. Proposed grading is 1.8 million cubic yards of combined cut and fill total.

18. Staff received one letter from the Deerlake Ranch Construction Committee dated January 12, 2011, supporting the proposed amendments to TR 53138. The letter also requested that the Los Angeles County Department of Parks and Recreation take any necessary steps to ensure that individual lot owners do not impede the use of trails that cross their respective property lines.

The Committee was created by Condition No. 48 of CUP 99-239- (5), approved by the Los Angeles County Board of Supervisors ("Board") on August 10, 2004. The Committee, composed of six individuals who shall be property owners, tenants, business owners, and/or other interested persons in the Chatsworth area as appointed by the Supervisor of the Fifth Supervisorial District, is to meet quarterly (or less frequently at the direction of the Committee) with the permittee and his contractor representatives.

Staff received two letters from neighbors to the project site expressing concerns about removal of oak trees; development of the natural area; and access to the trail network that, in part, crosses private property within a gated community.

19. The subject CUP modification, and associated oak tree permit and amended map were initially heard by a Los Angeles County Hearing Officer ("Hearing Officer"), Gina Natoli, on February 21, 2012.

20. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer heard a presentation from staff that summarized the requested entitlements and noted that more than one protest to the CUP modification had been received.

21. During the February 21, 2012 Hearing Officer public hearing, the applicant's representatives discussed the procedure for denying the CUP modification. They questioned whether opponents must state a reason for their opposition for that opposition to be valid and whether the nature of the opposition was within the limited scope of the hearing. County Code Section 22.56,1630 (A) does not require opponents to explain the nature of their opposition for that opposition to be valid.

22. During the February 21, 2012 Hearing Officer public hearing, one person representing Equestrian Trails Incorporated Corral No. 54 and the Deerlake Ranch Construction Committee testified in support of the project. They indicated support for the proposed modifications; stated that several features in the proposed plan will help insure that the trails will be properly maintained and not a burden to the property owners whose lots the trails

**PROJECT NO. 99-239-(5)**  
**CUP MODIFICATION NO. 201100160**  
**FINDINGS**

**Page 4 of 6**

cross; and that the Los Angeles County Sheriff's Department would deal with any property owner who impeded access to the trail.

23. During the February 21, 2012 Hearing Officer public hearing, two persons indicated they opposed the project but, due to the fact that the project was to be denied, reserved their remarks on the merits of the project until further proceedings are initiated by the applicant.
24. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer noted that the denial of the condition modification request is not a withdrawal of the project; that that basis for the denial was clearly stated in County Code Section 22.56,1630 (A); and that the County Code does not require opponents to explain the nature of their opposition for that opposition to be valid.
25. During the February 21, 2012 public hearing, the Hearing Officer clarified that only the requested modifications are considered during any proceeding on an amendment map and CUP modification, both at the hearing and at the appeal level.
26. After all testimony and discussion on February 21, 2012, the Hearing Officer closed the public hearing and denied CUP Mod 201100160, Second Amendment to Vesting Tentative Tract Map No. 53138, and OTP 201200001 because more than two protests had been received.
27. On July 18, 2012, the Commission conducted a duly-noticed public hearing to hear the appeal of the subject project.
28. During the July 18, 2012 Commission public hearing, the Commission heard a presentation from staff and the applicant's representative. Testimony was also heard from one person who had earlier protested the project and voiced concerns related to the construction, maintenance and enforcement of public trails proposed within the development. The concern was that the proposed trails would "disappear" behind gates and within the private lots of the tract, effectively becoming unusable by the public. However, the person testified that, with the added language related to trails construction, maintenance and enforcement (particularly pre-inspections during each phase of trail construction, and dedicated signage posted at each trail location), as well as the added buffer distance of 10 feet between the gated road entry and trail route, these concerns had been fully addressed, and that the protest could be withdrawn.
29. During the July 18, 2012 Commission public hearing, the applicant's representative made a presentation and gave testimony that the proposed amendments did not affect trail alignments from the original project approval. In addition, the representative stated that the only physical change to trails was moving a trail entry point an additional 10 feet of buffer distance away from the gated street entry.
30. During the July 18, 2012 Commission public hearing, the Commission discussed the proposed project and made the following comments:
  - a. The Commission stated that the reduction in number of single-family lots from 375 to 314 is beneficial with respect to reducing grading and impacts to oak trees.
  - b. The Commission asked the applicant whether the trails located in private "backyards"

- would have signage. The applicant responded that they will, in order to properly maintain and enforce the trail route.
- c. The Commission asked the applicant who would own and maintain the proposed trails. The applicant responded that they would be public trails maintained by Parks and Recreation.
  - d. The Commission asked the applicant whether the applicant felt that the concerns of the protestants had been met. The applicant responded "yes".
  - e. The Commission asked the applicant why a cul-de-sac was proposed in an unusual location on the southerly side of the project. The applicant responded that the cul-de-sac is related to a Public Works bridge requirement and transitions to a narrower private driveway and fire lane at the cul-de-sac location. The applicant also responded that the private driveway/fire lane design greatly reduces hillside grading impacts otherwise required for a full-width public street.
  - f. The Commission asked the applicant if sewer improvements approved with the original project still to be constructed. The applicant responded "yes".
  - g. The Commission asked why lot configurations in the northerly portion of the project were changed. The applicant responded this was to allow further reduction in grading amounts.
  - h. The Commission stated that the revised Community Character Statement ("booklet") still included older graphics of larger homes from the previous project design. The applicant stated that only those portions of the revised booklet related to the proposed amendments had been modified.
  - i. The Commission made the statement that the original project approved eight years ago was a fine project but was not allowed to be built at that time due to the economic downturn.
  - j. Lastly, the Commission stated that the amended project brought forward today is superior to the original project of eight years ago.
31. The Commission finds that the requested modification to Condition No. 3 of CUP 99-239 – (5), a reduction in the number of horse-keeping lots from 55 lots to 41 lots, is acceptable as this reduction is proportional to the reduction in the number of single-family lots.
32. The Commission finds that modifications to the text of CUP 99-239–(5) approval Condition Nos. 1, 2, 16, 20, 22, 23, 24, 25, 26, 56, 57, 64, and 65 are acceptable as these modifications reflect only changes in the number of lots, type of lots, lot numbers, types of streets, and street names approved by the second amendment to and do not modify the intent of these conditions.
33. The Commission finds that the burden of proof for the conditional use permit as modified has been satisfied as required by Section 22.56.040. The burden of proof indicates the effect of the proposed modification proposed by the second amendment to TR 53138.
34. The Commission finds that approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit. Only text changes are proposed to Condition Nos. 1, 2, 16, 20, 22, 23, 24, 25, 26, 56, 57, 64 and 65 of CUP 99-239 – (5). The proposed reduction in the number of horse-keeping lots required by Condition No. 3 of CUP 99-239 – (5) results from the overall reduction in number of lots proposed by the second amendment to TR 53138.

35. The Commission finds that approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit. Regional Planning required the applicant to apply for the CUP modification in order to allow text changes in certain conditions of approved CUP 99-239 – (5) to make the conditions of that CUP consistent with the requested modifications of TR 53138.
36. Future development on the proposed parcels must comply with the Los Angeles County Low Impact Development, Green Building, and Drought-Tolerant Landscaping Ordinances, as applicable, prior to building permit issuance.
37. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act (“CEQA”) and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.
38. After consideration of the addendum to the FEIR and the FEIR itself, together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the proposed amendment will have a significant effect on the environment, finds the addendum reflects the independent judgment and analysis of the Commission, and approves the addendum.
39. The location of the documents and other materials constituting the record of proceedings upon which the Commission’s decision is based in this matter is the Los Angeles Department of Regional Planning (“Regional Planning”), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:**

- A. That the burden of proof for the conditional use permit as modified has been satisfied as required by Section 22.56.040;
- B. That approval of the application will not substantially alter or materially deviate from the terms and conditions imposed in the granting of the previously approved conditional use permit; and
- C. That approval of the application is necessary to allow the reasonable operation and use granted in the conditional use permit.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a condition use permit modification as set forth in Section 22.56.1630 of the Los Angeles County Code (Zoning Ordinance).

**THEREFORE**, in view of the findings of fact and conclusions presented above, Conditional Use Permit Modification 201100160 is approved subject to the attached conditions.

**PROJECT NO. 99-239- (5)**  
**CONDITIONAL USE PERMIT MODIFICATION NO. 201100160**  
**CONDITION MODIFICATIONS**

Conditional Use Permit Modification ("CUP Mod") No. 201100160 proposes modifications to certain conditions of approved CUP 99-239 – (5), as indicated below.

1. Condition No. 1, as currently approved, read as follows:

The grant authorizes the use of the subject property for a total of 375 single-family residential lots, 14 private and future street lots, four debris basin lots, one helispot lot, one sheriffs storefront facility, 21 open space lots, four "remainder parcels," and project-associated infrastructure to be developed in compliance with hillside management and density-controlled development design review criteria, as depicted on the approved Exhibit "A" (dated March 24, 2004) subject to the following conditions of approval.

With the requested modification, the applicant is revising and adding the following to Condition No. 1 and it would read as follows:

The grant authorizes the use of the subject property for a total of ~~375~~ 314 single-family residential lots, ~~14 private and future street lots~~, ~~four~~ one debris basin lots, one helispot lot, one sheriffs storefront facility, ~~21~~ 25 open space lots, ~~four~~ one "remainder parcels," and project-associated infrastructure to be developed in compliance with hillside management and density-controlled development design review criteria, as depicted on the approved Exhibit "A" (dated March 24, 2004) as amended on September 16, 2008 subject to the following conditions of approval.

2. Condition No. 2, as currently approved, read as follows:

A minimum of 50 percent of the 375 lots, or 188 lots, shall be 15,000 square feet in size, or larger

With the requested modification, the applicant is revising and adding the following to Condition No. 2 and it would read as follows:

A minimum of 50 percent of the ~~375~~ 314 lots, or ~~188~~ 157 lots, shall be 15,000 square feet in size, or larger.

3. Condition No. 3, as currently approved, read as follows:

A minimum of 55 lots shall be specifically designated to accommodate horse keeping.

With the requested modification, the applicant is revising and adding the following to Condition No. 3 and it would read as follows:

A minimum of 41 lots shall be specifically designated to accommodate horse keeping.

4. Condition No. 16, as currently approved, read as follows:

The subject property shall be graded, developed and maintained in substantial compliance with the approved Exhibit "A", which includes the tentative tract map (dated March 24, 2004), Community Character booklet, and exhibit maps. Amended or revised tentative maps approved for Vesting Tentative Tract Map No. 53138 may, at the discretion of the Director, constitute a revised Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 16 and it would read as follows:

The subject property shall be graded, developed and maintained in substantial compliance with the approved Exhibit "A", which includes the amended vesting tentative tract map (dated March 24, 2004 March 10, 2011), Community Character booklet, and exhibit maps. Amended or revised tentative maps approved for Vesting Tentative Tract Map No. 53138 may, at the discretion of the Director, constitute a revised Exhibit "A".

5. Condition No. 20, as currently approved, reads as follows:

Any future development of the four lots designated as remainder parcels shall be subject to the regulations in effect at the time of such development, including the provisions of section 66410 et. seq. of the California Government Code (Subdivision Map Act) and the requirements of the Subdivision and Zoning Ordinances.

With the requested modification, the applicant is revising and adding the following to Condition No. 20 and it would read as follows:

Any future development of the one ~~four~~ lots designated as a remainder parcels shall be subject to the regulations in effect at the time of such development, including the provisions of section 66410 et. seq. of the California Government Code (Subdivision Map Act) and the requirements of the Subdivision and Zoning Ordinances.

6. Condition No. 22, as currently approved, read as follows:

Two private active use areas shall be provided on open space lots 376 and 384 to the satisfaction of the Director. Amenities such as benches, playground equipment or other similar features shall be provided as depicted on the approved Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 22 and it would read as follows:

Two private active use areas shall be provided on open space lots ~~376 315~~ and ~~384 324~~ to the satisfaction of the Director. Amenities such as benches, playground equipment or other similar features shall be provided as depicted on the approved Exhibit "A".

7. Condition No. 23, as currently approved, read as follows:

A natural park shall be provided on a portion of open space lot 416 as shown on the approved Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 23 and it would read as follows:

A natural park shall be provided on a portion of open space lot ~~416 343~~ as shown on the approved Exhibit "A".

8. Condition No. 24, as currently approved, read as follows:

An equestrian rest area shall be provided and permanently maintained by the Homeowners' Association on the remainder parcel adjacent to Lot 262, as depicted on the approved Exhibit "A". If necessary, an alternative location in the same general vicinity may be considered subject to the approval of a revised Exhibit "A".

With the requested modification, the applicant is revising and adding the following to Condition No. 24 and it would read as follows:

An equestrian rest area shall be provided and permanently maintained by the Homeowners' Association on the remainder parcel adjacent to Lot 262 336, as depicted on the approved Exhibit "A". If necessary, an alternative location in the same general vicinity may be considered subject to the approval of a revised Exhibit "A".

9. Condition No. 25, as currently approved, read as follows:

The permittee shall pay the Quimby in-lieu fee of \$410,040 as required by the Department of Parks and Recreation.

With the requested modification, the applicant is revising and adding the following to Condition No. 25 and it would read as follows:

The permittee shall pay the Quimby in-lieu fee of ~~\$410,040~~ 342,720 as required by the Department of Parks and Recreation.

10. Condition No. 26, as currently approved, read as follows:

The area of individual lots shall substantially conform to that shown on the approved Exhibit "A" and shall include at least 55 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse-keeping. No portion of the designated area shall be close than 35 feet to any habitable structures and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits.

With the requested modification, the applicant is revising and adding the following to Condition No. 26 and it would read as follows:

The area of individual lots shall substantially conform to that shown on the approved Exhibit "A" and shall include at least ~~55~~ 41 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse-keeping. No portion of the designated area shall be close than 35 feet to any habitable structures and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits.

~~With the requested modification, the applicant is revising and adding the following to Condition No. 26 and it would read as follows:~~



~~The area of individual lots shall substantially conform to that shown on the approved Exhibit "A" and shall include at least 41 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse-keeping. No portion of the designated area shall be close than 35 feet to any habitable structures and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits. In addition, construct and dedicate equestrian and hiking trails to the County of Los Angeles, or other public agency approved by the County of Los Angeles, to the satisfaction of the Department of Parks and Recreation. Submit evidence of satisfaction of this condition to the Director of the Department of Regional Planning prior to recordation of the final map or unit map, which includes all, or a portion of the trail. No building permit shall be issued within any final map, or unit map, until the equestrian and hiking trail within that map has been constructed. In addition, comply with the following:~~

10. a) ~~Condition No. 28, as currently approved, read as follows:~~

~~\_\_\_\_\_ Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53138 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:~~

~~A. \_\_\_\_\_ complies with the conditions of this grant and the standards of the zone; and~~

~~B. \_\_\_\_\_ is compatible with hillside resources~~

~~With the requested modification, the applicant is revising and adding the following to Condition No. 28 and it would read as follows:~~

~~\_\_\_\_\_ Prior to the issuance of any grading permit or building permit, site plans covering the applicable development phase as identified on the phasing map for Vesting Tentative Tract Map No. 53138 shall be submitted to and approved by the Director indicating that the proposed grading and/or construction:~~

~~A. \_\_\_\_\_ complies with the conditions of this grant and the standards of the zone;~~

~~B. \_\_\_\_\_ is compatible with hillside resources; and~~

~~C. \_\_\_\_\_ includes all equestrian and hiking trails within that development phase, including final grading, finished trails surfaces and drainage devices,~~

~~railing, and other appurtenances required by the Director of Parks & Recreation~~

~~10. b) Condition No. 29, as currently approved, read as follows:~~

~~Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, and building setbacks.~~

**With the requested modification, the applicant is revising and adding the following to Condition No. 29 and it would read as follows:**

~~— Review of the site plan shall emphasize, within the limits established by geologic and engineering constraints, grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences onsite. Other features to be indicated on all site plans include walls, landscaping, driveways, building setbacks, and finished grading for all equestrian and hiking trails, finished trails surfaces and drainage devices, railing, and other appurtenances required by the Director of Parks & Recreation.~~

~~10. c) Condition No. 32, as currently approved, read as follows:~~

~~Prior to recordation of any final map for associated Vesting Tentative Tract Map No. 53138, the permittee shall submit copies of the Covenants, Conditions and Restrictions ("CC&R's") for the project to the Director. The CC&R's shall include a prohibition on the use of water softener units in the single family residences which discharge chemical agents into the public sewer system.~~

**With the requested modification, the applicant is revising and adding the following to Condition No. 32 and it would read as follows:**

**Prior to recordation of any final map for associated Vesting Tentative Tract Map No. 53138, the permittee shall submit copies of the Covenants, Conditions and Restrictions ("CC&R's") for the project to the Director. The CC&R's shall include a prohibition on the use of water softener units in the single family residences which discharge chemical agents into the public sewer system. In addition, the CC&R's shall advise all residents of the following concerning the equestrian and hiking trails located within the project:**

- That the trails are publicly owned by Los Angeles County, and**

~~are not private property, regardless of their location relative to private properties.~~

- ~~• That any private use, damage or blockade of the trails is against the law, and that violators will be prosecuted by Los Angeles County officials.~~

11. Condition No. 56, as currently approved, read as follows:

No access of heavy construction equipment or vehicles, or delivery of construction materials, shall be permitted onto the project site via Canoga Avenue prior to 9:00 a.m. and after 2:00 p.m. Mondays through Fridays. No such access or deliveries shall be permitted on weekends or holidays. IN addition, permittee, in consultation with the Los Angeles County Department of Public Works and in a manner consistent with the timing requirements of the construction of the "A" Street Bridge, shall specify authorized routes for construction-related vehicles, including deliver and contractor employee vehicles, consistent with Condition No. 57(d)(ii) of this grant. Permittee will post necessary signs and/or personnel at all entries to Twin Lakes and local streets no permitted as authorized routes to ensure enforcement of these prohibitions.

With the requested modification, the applicant is revising and adding the following to Condition No. 56 and it would read as follows:

No access of heavy construction equipment or vehicles, or delivery of construction materials, shall be permitted onto the project site via Canoga Avenue prior to 9:00 a.m. and after 2:00 p. m. Mondays through Fridays. No such access or deliveries shall be permitted on weekends or holidays. In addition, permittee, in consultation with the Los Angeles County Department of Public Works and in a manner consistent with the timing requirements of the construction of the "A" Street Poema Place Bridge, shall specify authorized routes for construction-related vehicles, including deliver and contractor employee vehicles, consistent with Condition No. 57(d)(ii) of this grant. Permittee will post necessary signs and/or personnel at all entries to Twin Lakes and local streets no permitted as authorized routes to ensure enforcement of these prohibitions.

12. Condition No. 57, as currently approved, read as follows:

Upon completion of "A" Street and the bridge, as shown on the Tentative Subdivision Map, access to the project via Canoga Avenue by construction equipment or vehicles shall be prohibited, and all construction traffic shall use Topanga Canyon Boulevard. In addition, the following conditions shall apply during the construction of the "A" Street Bridge:

- A. Upon expiration of all appeal periods, including the statutory time period for legal challenge to the EIR, permittee shall prepare all necessary engineering drawings for the construction of the "A" Street Bridge (aka Topanga Bridge).

- B. Prior to recordation of the first final unit map, the permittee shall have applied to the Department of Public Works for and received a permit to construct the "A" Street Bridge, or the "A" Street Bridge shall be include in an Improvement Agreement for the first final unit map.
- C. Prior to the issuance of the first residential building permit, construction shall commence on the "A" Street Bridge.
- D. Prior to completion of the "A" Street Bridge, construction traffic on Canoga Avenue shall be subject to the following controls:
  - 1. (iii). Until construction of the "A" Street Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permitted shall have two crossing guards on duty when local schools, day camps, or summer camps are in session: one crossing guard at the intersection of Canoga Avenue with Chatsworth Street and one crossing guard at the intersection of Canoga Avenue with Tulsa Street;
  - 2. (iv) Until construction of the "A" Street Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permittee shall have one or two flag person, as determined by the Department of Public Works, on south-bound Canoga Avenue to alert motorists to oncoming construction vehicles;
  - 3. (v) The "A" Street and Canoga Avenue bridges shall be completed and open for construction traffic prior to the issuance of the 130<sup>th</sup> residential building permit;
  - 4. (vi) No construction equipment, materials and supply deliveries shall be permitted on Canoga Avenue after the issuance of the 130<sup>th</sup> residential building permit. Upon completion of the "A" Street Bridge, construction traffic shall be restricted to travel only from Topanga Canyon Boulevard, to Poema Place, to the site; and
  - 5. (vii) Upon completion of the "A" Street Bridge, the permittee shall post "No Construction Traffic" signs on the Canoga Avenue entrance to the site prohibiting construction traffic to Canoga Avenue and diverting such traffic to Topanga Canyon Boulevard and "A" Street.
- E. The applicant shall ensure that access for existing homeowners and equestrians will not be impeded by traffic to and from the temporary construction trailers site along that portion of existing Canoga Avenue extending between the existing driveway to the temporary construction trailers site and the 118 freeway overpass;

- F. No mass grading shall be permitted on the temporary construction trailers site except that which is necessary to provide a safe transition between the existing driveway and Canoga Avenue, consistent with Exhibit "A" of CUP No. 99-239, and the minor grading required providing an all weather parking lot on the temporary construction trailers site;
- G. All applicable conditions of approval of CUP 99-239, including those pertaining to dust and storm water runoff controls, shall apply to the temporary construction trailers site;
- H. The applicant shall obtain required permits from the Departments of Public Works, Building & Safety Division, and the Department of Health Services, prior to any construction or placements on the temporary construction trailers site;
- I. Fifteen days after the completion of the "A" Street bridge, the temporary construction trailers shall be removed from this site, and no further construction-related traffic shall be permitted to use Canoga Avenue, consistent with Condition No. 57 of CUP No. 99-239;
- J. Relocation of the temporary construction trailers within 15 days of completion of the "A" Street bridge shall be to a location within the Deerlake Ranch project site that provides access to and from Topanga Canyon Boulevard; and
- K. After relocation of the temporary construction trailers, the leased site shall be restored to its existing condition within 30 days.

With the requested modification, the applicant is revising and adding the following to Condition No. 57 and it would read as follows:

Upon completion of "~~A" Street~~ Poema Place and the bridge, as shown on the Tentative Subdivision Map, access to the project via Canoga Avenue by construction equipment or vehicles shall be prohibited, and all construction traffic shall use Topanga Canyon Boulevard. In addition, the following conditions shall apply during the construction of the "~~A" Street~~ Poema Place Bridge:

- L. Upon expiration of all appeal periods, including the statutory time period for legal challenge to the EIR, permittee shall prepare all necessary engineering drawings for the construction of the "~~A" Street~~ Poema Place Bridge (aka Topanga Bridge).
- M. Prior to recordation of the first final unit map, the permittee shall have applied to the Department of Public Works for and received a permit to construct the "~~A" Street~~ Poema Place Bridge, or the "~~A" Street~~ Poema Place Bridge shall be include in an Improvement Agreement for the first final unit map.

- N. Prior to the issuance of the first residential building permit, construction shall commence on the "~~A~~" Street Poema Place Bridge.
- O. Prior to completion of the "~~A~~" Street Poema Place Bridge, construction traffic on Canoga Avenue shall be subject to the following controls:
  - 1. (iii). Until construction of the "~~A~~" Street Poema Place Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permitted shall have two crossing guards on duty when local schools, day camps, or summer camps are in session: one crossing guard at the intersection of Canoga Avenue with Chatsworth Street and one crossing guard at the intersection of Canoga Avenue with Tulsa Street;
  - 2. (iv) Until construction of the "~~A~~" Street Poema Place Bridge has been completed and construction-related traffic is no longer permitted to use Canoga Avenue, the permittee shall have one or two flag person, as determined by the Department of Public Works, on south-bound Canoga Avenue to alert motorists to oncoming construction vehicles;
  - 3. (v) The "~~A~~" Street Poema Place and Canoga Avenue bridges shall be completed and open for construction traffic prior to the issuance of the 130<sup>th</sup> residential building permit;
  - 4. (vi) No construction equipment, materials and supply deliveries shall be permitted on Canoga Avenue after the issuance of the 130<sup>th</sup> residential building permit. Upon completion of the "~~A~~" Street Poema Place Bridge, construction traffic shall be restricted to travel only from Topanga Canyon Boulevard, to Poema Place, to the site; and
  - 5. (vii) Upon completion of the "~~A~~" Street Poema Place Bridge, the permittee shall post "No Construction Traffic" signs on the Canoga Avenue entrance to the site prohibiting construction traffic to Canoga Avenue and diverting such traffic to Topanga Canyon Boulevard and "~~A~~" Street Poema Place.
- P. The applicant shall ensure that access for existing homeowners and equestrians will not be impeded by traffic to and from the temporary construction trailers site along that portion of existing Canoga Avenue extending between the existing driveway to the temporary construction trailers site and the 118 freeway overpass;
- Q. No mass grading shall be permitted on the temporary construction trailers site except that which is necessary to provide a safe transition

between the existing driveway and Canoga Avenue, consistent with Exhibit "A" of CUP No. 99-239, and the minor grading required providing an all weather parking lot on the temporary construction trailers site;

- R. All applicable conditions of approval of CUP 99-239, including those pertaining to dust and storm water runoff controls, shall apply to the temporary construction trailers site;
- S. The applicant shall obtain required permits from the Departments of Public Works, Building & Safety Division, and the Department of Health Services, prior to any construction or placements on the temporary construction trailers site;
- T. Fifteen days after the completion of the "A" Street Poema Place bridge, the temporary construction trailers shall be removed from this site, and no further construction-related traffic shall be permitted to use Canoga Avenue, consistent with Condition No. 57 of CUP No. 99-239;
- U. Relocation of the temporary construction trailers within 15 days of completion of the "A" Street Poema Place bridge shall be to a location within the Deerlake Ranch project site that provides access to and from Topanga Canyon Boulevard; and
- V. After relocation of the temporary construction trailers, the leased site shall be restored to its existing condition within 30 days.

**13. Condition No. 61, as currently approved, read as follows:**

**During grading and until completion of the permanent trails within the project, the permittee shall coordinate with representatives of the various local equestrian groups and other interested persons to locate and build temporary riding and hiking trails which, when physically possible, will connect to existing trails from Devil's Canyon and Brown's Canyon north of the project. These temporary trails may be relocated from time to time due to the need to accommodate construction activity. The proposed locations and construction of the temporary trails shall be reviewed by the Trails Coordinator of the Los Angeles County Department of Parks and Recreation.**

**With the requested modification, the applicant is revising and adding the following to Condition No. 61 and it would read as follows:**

**During grading and until completion of the permanent trails within the project, the permittee shall coordinate with representatives of the various local equestrian groups and other interested persons to locate and build temporary riding and hiking trails which, when physically possible, will connect to existing trails from Devil's Canyon and Brown's Canyon north of the project. These temporary trails may be relocated from time to time due to the need to accommodate construction activity. The proposed**

locations and construction of the temporary trails shall be reviewed by the Trails Coordinator of the Los Angeles County Department of Parks and Recreation. In addition,

- A. The permittee shall make an irrevocable offer of dedication of all trails shown on Exhibit "A" to the County of Los Angeles on the final tract map(s) which includes any portion of the trails.
- B. The permittee shall construct all equestrian and hiking trails as depicted on Exhibit "A" to the satisfaction of the Department of Public Works and the Department of Parks and Recreation.
- C. The permittee shall complete the trail grading prior to rough grading certification, and the completion of this trail grading work shall be confirmed by the appropriate County staff in connection with the inspection and issuance of rough grading certification. Posting of security in lieu of such actual completion of trails shall not be permitted.
- D. The permittee shall post temporary signs sufficient in size and number so as to be visible and legible from every home site whose lot is traversed by a trail. Each sign shall give notice that a Los Angeles County equestrian trail, open to the public, is located in the area. The Department of Public Works shall not sign off on permittee's completion of rough grading until the Department has confirmed that the signs have been posted.
- E. The temporary signs shall be continually maintained until the residences are constructed and occupied.
- F. These conditions may be satisfied incrementally within each project phase so long as the trails are complete prior to any rough grading certification which includes any portion of the trails.

14. Condition No. 64, as currently approved, read as follows:

Pursuant to Chapter 22.72 of the County Code, pay a fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$638 per dwelling unit (\$638 X 375 dwelling units = \$239,250). The permittee or its successor in interest may contact the County Librarian at (562) 940-8430.



With the requested modification, the applicant is revising and adding the following to Condition No. 64 and it would read as follows:

Pursuant to Chapter 22.72 of the County Code, pay a fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$638 829 per dwelling unit (~~\$638 829~~ X ~~375~~ 314 dwelling units = ~~\$239,250~~ 260,306). The permittee or its successor in interest may contact the County Librarian at (562) 940-8430.

15. Condition No. 65, as currently approved, read as follows:

The permittee shall construct a sheriff's storefront sub-station facility, not to exceed 800 square feet in size but not less than 600 square feet, as depicted on the approved Exhibit "A". The facility shall be offered to the Sheriff's Department under appropriate terms and conditions as provided for in an agreement between the County and the permittee. The Sheriffs facility shall be constructed as soon as "A" Street has been completed and Mayan Drive has been relocated, as shown on the approved Exhibit "A", to the satisfaction of the Los Angeles County Department of Public Works. In addition to parking required to serve the Sheriffs facility, an additional four parking spaces, at minimum, shall be provided to trail users.

With the requested modification, the applicant is revising and adding the following to Condition No. 65 and it would read as follows:

The permittee shall construct a sheriff's storefront sub-station facility, not to exceed 800 square feet in size but not less than 600 square feet, as depicted on the approved Exhibit "A". The facility shall be offered to the Sheriff's Department under appropriate terms and conditions as provided for in an agreement between the County and the permittee. The Sheriffs facility shall be constructed as soon as "~~A~~ Street Poema Place" has been completed and Mayan Drive has been relocated, as shown on the approved Exhibit "A", to the satisfaction of the Los Angeles County Department of Public Works. In addition to parking required to serve the Sheriffs facility, an additional four parking spaces, at minimum, shall be provided to trail users.

16. All other conditions of CUP 99239 remain as previously approved.

17. Prior to the use of this grant, the terms and conditions of the modification shall be recorded in the office of the Los Angeles County Recorder.

18. Permission is granted to develop the subdivision in accordance with the Exhibit "A," including the Community Character booklet, dated July 12, 2011.

19. Permission is granted to make the following changes to the Exhibit "A":

- Reduction in the overall number of lots from 421 (including 375 single-family lots) to 344 lots (including 314 single-family lots).
- Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;

- Revision of interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
- Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
- Allowing Lot Nos. 12, 13, 15, 16, 17, 18, 19, 33, 34, 37, 55, 63, 64, 65, 66, 67, 68, 69, 78, 92, 95, 96, 97, 98, 99, 101, 157, 244, 296, 298, 299, 307, 310, 311 to have less than the required street frontage.

**FINDINGS OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES  
PROJECT NO. 99-239-(5)  
OAK TREE PERMIT NO. 201200001**

1. The Los Angeles County Regional Planning Commission ("Commission") conducted a duly noticed public hearing in the matter of Oak Tree Permit No 201200001 ("OTP 201200001") on July 18, 2012. OTP 201200001 was heard concurrently with the Second Amendment to Vesting Tentative Tract Map No. 53138 ("Second Amendment") and Conditional Use Permit Modification ("CUP Mod.") No. 201100160.
2. OTP 201200001 is a request to allow the removal of 42 oak trees and encroachment into the protected zone of 13 oak trees). None of the trees is a heritage oak. The oaks are identified as Tree Nos. 1 through 14, 41 through 53, 55, 57 through 60, 64, 66 through 73, 76 (removals) and 21, 23 through 26, 29 through 31, 40, 61 through 63, 65 (encroachments) on the permittee's oak tree location map and oak tree report prepared by L. Newman Design Group, Inc., consulting arborist, dated January 3, 2012 ("Oak Tree Report").
3. The Second Amendment requests the following amendments to TR 53138:
  - Reduction in the overall number of lots from 421 (including 375 single-family lots) to 345 lots (including 314 single-family lots).
  - Modification of road standards for Poema Place from a 55-foot wide collector street to a 36-foot wide private driveway and fire lane;
  - Revised interior street standards from a 51-foot wide residential street to a 36-foot wide private driveway and fire lane;
  - Reduction in the volume of project grading from 2.2 million cubic yards to 1.8 million cubic yards;
  - Waiver of street frontage on lots fronting private driveways and fire lanes;
  - Modification of Condition No. 11 to allow 34 lots to have less than the required street frontage;
  - Reduction in the number of horse-keeping lots from 55 to 41;
  - Reduction in the number of oak trees to be removed from 61 to 42 and increase in the number of encroachments from 10 to 13; and
  - Modification of the text conditions of approval for the vesting tentative tract map and CUP to reflect the changes proposed by the amendment.
  - Modification of Condition No. 38 for additional language related to trails construction, maintenance and enforcement.
4. CUP Mod No. 201100160 is a related request to modify the text conditions of CUP 99-239 – (5) to reflect the changes proposed by the amended tentative tract map and to reduce the number of horse-keeping lots. Also requested is a change to Condition No. 61 to reflect additional language for trails construction, maintenance and enforcement.
5. Approval of this request is contingent upon the approval of all the other requests for entitlements included in Project No. 99-239 – (5).

6. If this oak tree permit is denied at the public hearing and the denial is sustained by subsequent appeals, the subdivider may proceed with the development approved under previous approvals once the final map is recorded.
7. The subject site is located at the north of California State Route 118 (Ronald Reagan Freeway) between Canoga Avenue and Topanga Canyon Boulevard, within the Chatsworth Zoned District.
8. The irregularly-shaped property is 230.58 gross acres in size with flat to hilly terrain. A large portion of the property is generally a plateau that is bordered to the west and south by Devil's Canyon and to the east by Brown's Canyon. It is generally vacant, though five single-family residences are included in "Not A Part" areas surrounded by the project site.
9. The majority of the subject property was historically known as the Deerlake Highlands Tract, a Record of Survey subdivision of approximately 2,275 lots recorded in the late 1920's. Since their creation in the late 1920's, these substandard lots have occasionally been conveyed, sold, and acquired. These lots have been merged into 624 lots, each with a minimum of 6,000 square feet through the processing and issuing of 624 unconditional certificates of compliance.
10. The residences will take access from internal private and future streets and private driveways and fire lanes, which take from Poema Place a 64' dedicated public street, and Canoga Avenue, a variable width dedicated public street.
11. The subject property is depicted within the Non-Urban (R) and Rural Communities (RC) land use classifications on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). The Rural Communities designation permits residential density of one to six dwelling units per acre. The Non-Urban designation permits a maximum density of one dwelling unit per acre. The project's overall proposed density is approximately 1.7 dwelling units per acre.
12. Density transfer of 23 units from the southeasterly portion of the site designated Urban to a portion of the Non-Urban area within the southwesterly portion of the site was included in the original project. However, due to the reduction in overall number of units, this density transfer is not included in the amended project.
13. The project site is currently A-1-1 (Light Agricultural - One Acre Minimum Required Lot Area) and R-1-6,000 (Single-Family Residential - 6,000 Square Feet Minimum Required Lot Area). The zoning was established by Ordinance No. 7505 which became effective on April 14, 1959.
14. The proposed project is required to comply with the development standards of the A-1-1 and R-1-6,000 zones. Detached residences are permitted in the A-1-1 zone pursuant to Section 22.24.070 of the Los Angeles County Code ("County Code") and in the R-1-10,000 zone, pursuant to Section 22.20.070 of the County Code.

15. The applicant has submitted an Oak Tree Report that identifies and evaluates oak trees on the project site, of which 42 are proposed to be removed and 13 are proposed to be encroached upon. There are 202 total oak trees on the project site.
16. The applicant has submitted an oak tree permit burden of proof to support his request for the oak tree permit. Staff finds the burden of proof satisfactorily supports the applicant's request for oak tree removals and encroachments, as 79 percent (160) of the 202 existing oak trees will remain. The 42 trees to be removed are distributed throughout the project site, not concentrated in one area.
17. The Los Angeles County Forester and Fire Warden, ("Forester"), has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition, and species of the oak trees on the site. The Forester has recommended approval of the requested oak tree encroachments, subject to the Forester's recommended conditions of approval.
18. The locations of the encroached oak trees are identified on an oak tree exhibit map.
19. The proposed construction of the project would impact 55 (42 removals and 13 encroachments) oak trees that are the subject of this approval.
20. The proposed encroachments are necessary in order to provide a safe interior circulation system and allow for a grading plan that supports the proposed residential uses. Encroachment into the protected zone of the oak trees will not harm the oaks, provided the conditions of approval are met, and will allow for development of the property in a manner consistent with the Los Angeles County Code ("County Code"), which allows for development of detached residential units in the R-1-6,000 and A-1-1 zones; therefore, the encroachments will not be contrary to or in conflict with the intent or purpose of the oak tree ordinance.
21. Staff received one letter from the Deerlake Ranch Construction Committee ("Committee") dated January 12, 2011, supporting the proposed amendments to TR 53138. The letter also requested that the Los Angeles County Department of Parks and Recreation take any necessary steps to ensure that individual lot owners do not impede the use of trails that cross their respective property lines. The Committee was created by Condition No. 48 of CUP 99-239- (5), approved by the Los Angeles County Board of Supervisors ("Board") on August 10, 2004. The Committee, composed of six individuals who shall be property owners, tenants, business owners, and/or other interested persons in the Chatsworth area as appointed by the Supervisor of the Fifth Supervisorial District, is to meet quarterly (or less frequently at the direction of the Committee) with the permittee and his contractor representatives.  
  
Staff received two letters from neighbors to the project site expressing concerns about removal of oak trees; development of the natural area; and access to the trail network that, in part, crosses private property within a gated community.
22. The subject oak tree permit, and associated CUP modification and amended map were initially heard by a Los Angeles County Hearing Officer ("Hearing Officer"), Gina Natoli, on February 21, 2012.

23. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer heard a presentation from staff that summarized the requested entitlements and noted that more than one protest to the CUP modification had been received.
24. During the February 21, 2012 Hearing Officer public hearing, the applicant's representatives discussed the procedure for denying the CUP modification. They questioned whether opponents must state a reason for their opposition for that opposition to be valid and whether the nature of the opposition was within the limited scope of the hearing. County Code Section 22.56,1630 (A) does not require opponents to explain the nature of their opposition for that opposition to be valid.
25. During the February 21, 2012 Hearing Officer public hearing, one person representing Equestrian Trails Incorporated Corral No. 54 and the Deerlake Ranch Construction Committee testified in support of the project. They indicated support for the proposed modifications; stated that several features in the proposed plan will help insure that the trails will be properly maintained and not a burden to the property owners whose lots the trails cross; and that the Los Angeles County Sheriff's Department would deal with any property owner who impeded access to the trail.
26. During the February 21, 2012 Hearing Officer public hearing, two persons indicated they opposed the project but, due to the fact that the project was to be denied, reserved their remarks on the merits of the project until further proceedings are initiated by the applicant.
27. During the February 21, 2012 Hearing Officer public hearing, the Hearing Officer noted that the denial of the condition modification request is not a withdrawal of the project; that that basis for the denial was clearly stated in County Code Section 22.56,1630 (A); and that the County Code does not require opponents to explain the nature of their opposition for that opposition to be valid.
28. During the February 21, 2012 public hearing, the Hearing Officer clarified that only the requested modifications are considered during any proceeding on an amendment map and CUP modification, both at the hearing and at the appeal level.
29. After all testimony and discussion on February 21, 2012, the Hearing Officer closed the public hearing and denied CUP Mod 201100160, Second Amendment to Vesting Tentative Tract Map No. 53138, and OTP 201200001 because more than two protests had been received.
30. On July 18, 2012, the Commission conducted a duly-noticed public hearing to hear the appeal of the subject project.
31. During the July 18, 2012 Commission public hearing, the Commission heard a presentation from staff and the applicant's representative. Testimony was also heard from one person who had earlier protested the project and voiced concerns related to the construction, maintenance and enforcement of public trails proposed within the development. The concern was that the proposed trails would "disappear" behind gates and within the private lots of the tract, effectively becoming unusable by the public. However, the person testified that, with the added language related to trails construction, maintenance and enforcement (particularly pre-inspections during each phase of trail

construction, and dedicated signage posted at each trail location), as well as the added buffer distance of 10 feet between the gated road entry and trail route, these concerns had been fully addressed, and that the protest could be withdrawn.

32. During the July 18, 2012 Commission public hearing, the applicant's representative made a presentation and gave testimony that the proposed amendments did not affect trail alignments from the original project approval. In addition, the representative stated that the only physical change to trails was moving a trail entry point an additional 10 feet of buffer distance away from the gated street entry.
33. During the July 18, 2012 Commission public hearing, the Commission discussed the proposed project and made the following comments:
  - a. The Commission stated that the reduction in number of single-family lots from 375 to 314 is beneficial with respect to reducing grading and impacts to oak trees.
  - b. The Commission asked the applicant whether the trails located in private "backyards" would have signage. The applicant responded that they will, in order to properly maintain and enforce the trail route.
  - c. The Commission asked the applicant who would own and maintain the proposed trails. The applicant responded that they would be public trails maintained by Parks and Recreation.
  - d. The Commission asked the applicant whether the applicant felt that the concerns of the protestants had been met. The applicant responded "yes".
  - e. The Commission asked the applicant why a cul-de-sac was proposed in an unusual location on the southerly side of the project. The applicant responded that the cul-de-sac is related to a Public Works bridge requirement and transitions to a narrower private driveway and fire lane at the cul-de-sac location. The applicant also responded that the private driveway/fire lane design greatly reduces hillside grading impacts otherwise required for a full-width public street.
  - f. The Commission asked the applicant if sewer improvements approved with the original project were still to be constructed. The applicant responded "yes".
  - g. The Commission asked why lot configurations in the northerly portion of the project were changed. The applicant responded this was to allow further reduction in grading amounts.
  - h. The Commission stated that the revised Community Character Statement ("booklet") still included older graphics of larger homes from the previous project design. The applicant stated that only those portions of the revised booklet related to the proposed amendments had been modified.
  - i. The Commission made the statement that the original project approved eight years ago was a fine project but was not allowed to be built at that time due to the economic downturn.
  - j. Lastly, the Commission stated that the amended project brought forward today is superior to the original project of eight years ago.
34. After hearing all testimony and discussing the matters at hand, the Commission finds that construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code.
35. The Commission finds that the removal of 42 and encroachment within the protected zone of 13 oak trees are necessary for development reasons as the location of the trees

at the present location frustrates the planned improvements and/or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density.

36. The Commission finds that the removal of 42 and encroachment into the protected zones of 13 oak trees proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure. The oak tree permit procedure is used to allow street improvement required by Public Works.
37. An addendum to the Final Environmental Impact Report has been recommended as the appropriate environmental document for this project pursuant to the California Environmental Quality Act ("CEQA") and the Los Angeles County Environmental Guidelines. It was determined that, pursuant to CEQA Guidelines Section 15164, some changes to the previously certified FEIR are necessary but none of the conditions described in CEQA Guidelines Section 15162, calling for the preparation of a subsequent EIR, have occurred.
38. After consideration of the addendum to the FEIR and the FEIR itself, together with any comments received during the public review process, the Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the proposed amendment will have a significant effect on the environment, finds the addendum reflects the independent judgment and analysis of the Commission, and approves the addendum.
39. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

**BASED ON THE FOREGOING, THE COMMISSION CONCLUDES:**

- A. That construction of the proposed land use will be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the Los Angeles County Code;
- B. That the removal of 42 and encroachment within the protected zone of 13 oak trees is necessary for development reasons as continued existence of the trees at the present location frustrates the planned improvements and/or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density; and
- C. That the removal and encroachment into the protected zones of the oak trees proposed will not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure;

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for an oak tree permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).



**PROJECT NO. 99-239 - (5)**  
**OAK TREE PERMIT NO. 201200001**  
**FINDINGS**

**Page 7 of 7**

**THEREFORE,** in view of the findings of fact and conclusions presented above, Oak Tree Permit No. 201200001 is approved subject to the attached conditions.

**DEPARTMENT OF REGIONAL PLANNING  
PROJECT NO. 99-239-(5)  
OAK TREE PERMIT NO. 201200001  
CONDITIONS**

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester") at either 818-890-5719 or 323-881-2481).

1. This grant allows the removal of 42 trees and encroachment within the protected zone of 13 trees (no heritage oaks) of the oak genus (*Quercus agrifolia*) identified as trees numbered 1 through 14, 41 through 53, 55, 57 through 60, 64, 66 through 73, 76 (removals) and 21, 23 through 26, 29 through 31, 40, 61 through 63, 65 (encroachments) on the permittee's oak tree location map and oak tree report prepared by L. Newman Design Group, Inc., consulting arborist, dated January 3, 2012, ("Oak Tree Report"). This grant also allows structural pruning of remaining oak trees to provide clearance and ensure the continued health of trees, including prunes greater than two inches in diameter.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No. 4 and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this condition No. 3 and Condition Nos. 32, 33, 34 and 35 shall be effective immediately upon final approval of this grant by the County.
4. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of this grant in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee, or the property owner if other than the permittee, shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. The subject property shall be developed, maintained, and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in such full compliance shall be a violation of these conditions.

**PROJECT NO. 99-239 – (5)**  
**OAK TREE PERMIT NO. 201200001**  
**CONDITIONS**

**Page 2 of 5**

7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise modified as set forth in these conditions or as shown on the approved plans.
8. No oak tree shall be encroached upon until the permittee has obtained all permits and approvals required for the work which necessitates such encroachment.
9. The permittee shall comply with the requirements of the Forester's letter dated January 24, 2012, which is incorporated by reference as if set forth fully herein.
10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department the sum of \$500.00. These fees will be used to compensate the Forester for the review of the new/revised Oak Tree report. The Director of Regional Planning ("Director of Planning") and the Forester shall retain the right to make regular and unannounced site inspections.
11. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forester stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Planning and the Forester any failure to fully comply with the conditions of this grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. This report shall include a diagram showing the exact number and location of all mitigation trees planted, if mitigation trees are required, as well as planting dates.
12. The permittee shall arrange for the consulting arborist or similarly qualified person to maintain any remaining oak trees on the subject property that are within the zone of impact as determined by the Forester for the life of the Oak Tree Permit or Conditional Use Permit.
13. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of all remaining oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the Forester. The term "protected zone" refers to the area extending five feet beyond the dripline of the oak tree (before pruning) or fifteen feet from the trunk, whichever is greater. Specifically, tree nos. 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32-39, 40, 56, 61, 62, 65, 65, 74, 75, 77 identified in the Oak Tree Report shall be fenced.
14. The permittee shall keep copies of the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan (if required) and Conditions of Approval on the project site and available for review. All Individuals associated with the project as it relates to the oak resource shall be provided with a copy or otherwise made familiar with the Oak Tree Report, Oak Tree Map, Mitigation Planting Plan (if required) and Conditions of Approval.
15. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any

**PROJECT NO. 99-239 – (5)**  
**OAK TREE PERMIT NO. 201200001**  
**CONDITIONS**

**Page 3 of 5**

major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.

16. In addition to work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected oak tree or to improve its appearance or structure may be performed. Such pruning shall include removal of deadwood and stubs and medium pruning of branches two inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the Forester. In no case shall more than 20 percent of the tree canopy of any one tree be removed.
17. Except as otherwise expressly authorized by this grant, the Oak trees shall be maintained in accordance with the principles set forth in the publication "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.
18. The permittee shall provide mitigation trees of the oak genus at a rate of two to one (2:1) for each tree removed for a total of 84 trees.
19. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one inch or more in diameter at one foot above the base. Free form trees with multiple stems are permissible provided that the combined diameter of the two largest stems of such trees measures a minimum of one inch in diameter one foot above the base.
20. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.
21. Mitigation tree shall be planted within one year of the permitted oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the Forester according to the most current edition of the International Society for Arboriculture's "Guide for Plant Appraisal."
22. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with new replacement trees. Subsequently, additional monitoring fees shall be required.
23. All mitigation oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

**PROJECT NO. 99-239 – (5)**  
**OAK TREE PERMIT NO. 201200001**  
**CONDITIONS**

**Page 4 of 5**

24. Encroachment within the protected zone of any additional trees of the Oak genus on the project site is prohibited.
25. Should encroachment within the protected zone of any additional trees of the oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal".
26. No planting or irrigation system shall be installed within the drip line of any oak tree that will be retained.
27. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.
28. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any oak.
29. Any violation of the conditions of this grant shall result in immediate work stoppage or in a Notice of Correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the Notice of Correction.
30. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forester for all enforcement efforts necessary to bring the subject property into compliance.
31. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Los Angeles County Regional Planning Commission ("Commission") or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or as to be a nuisance.
32. The permittee shall defend, indemnify, and hold harmless the County , its agents, officers, and employees from any claim, action, or proceeding against the County, or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall promptly notify the permittee of any such claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the subdivider of any claim, action, or proceeding, or if the local agency fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the local agency.

**PROJECT NO. 99-239 – (5)**  
**OAK TREE PERMIT NO. 201200001**  
**CONDITIONS**

**Page 5 of 5**

33. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall, within ten days of the filing, pay Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including, but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process, actual costs incurred by the department reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

34. This grant shall expire unless used within two years after the recordation of a final map for TR 53138. In the event that TR 53138 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
35. This grant shall terminate upon the completion of the authorized oak tree encroachments and the completion of all required mitigation and monitoring to the satisfaction of the Forester and Regional Planning.

**ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT  
FOR AMENDED VESTING TENTATIVE TRACT MAP NO. 53138  
MODIFICATION OF CONDITIONAL USE PERMIT 99-239 (5) and  
OAK TREE PERMIT ROAK #201200001**

**1. Existing Entitlements**

- a. On August 10, 2004, the County Board of Supervisors approved Vesting Tentative Tract Map (VTTM) No. 53138-(5), Conditional Use Permit (CUP) 99-239, Oak Tree Permit (OTP) 99-239, and certified the Final Environmental Impact Report (FEIR). The subject property is situated within the Chatsworth Zoned District of Los Angeles County, and is located north of the 118 Freeway, between Topanga Canyon Boulevard and Canoga Avenue. Subsequently, an Amended Vesting Tentative Tract Map was approved by the County Hearing Officer on September 16, 2008, authorizing certain design modifications.
- b. The approved VTTM and CUP authorizes the creation of 375 single-family residence lots, 21 open space lots, 14 private and future streets, four debris basins, one helispot, one sheriff's storefront facility, four designated remainder parcels on 230.58 acres, and project associated grading and infrastructure to be developed in compliance with hillside management and density controlled development design review criteria that allows clustering of the units into the least environmentally sensitive areas of the site while retaining the remaining portion of the property in permanent open space (See Sec. 2.0, Project Description of FEIR).
- c. The OTP authorized the removal of 61 oak trees, and encroachment into the protective zones of 11 oak trees. The OTP subsequently was revised on September 6, 2005, as OTP #200500037, and authorized the removal of 45 oak trees, and encroachment into the protective zones of 10 oak trees.
- d. Mitigation measures identified in the approved Final Environmental Impact report (FEIR) and Mitigation Monitoring Plan (MMP), and imposed on the project as a condition of approval, including the following categories: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Hydrology, Noise, Fire Department Services, Police Services, Schools, Libraries, Traffic, Water Services, Wastewater Services, Solid Waste, Electric and Gas Services.

**2. Proposed Entitlement Modifications**

The proposed project modifications require the following amendments to, or new entitlements: Amended Map for Vesting Tentative Tract Map (VTTM) No. 53138, Modification to CUP 99-239, a new Oak Tree Permit (OTP) ROAK #201200001 and an Addendum to the approved FEIR.

**3. Proposed Amended Vesting Tentative Tract Map No. 53138**

- a. The Amended VTTM proposes to reduce the number of residential dwelling units from 375 to 314, with corresponding revisions on the map pertaining to lot and internal street configurations, related grading and infrastructure quantities, and lot numbers, consistent with the proposed Modification of the CUP, as described in this document.

- b. The Amended VTTM approved by the Hearing Officer permitted 20 designated lots to have less than 50 feet of frontage at the street right-of-way to accommodate lots located along street curves. Above 20 lots are in addition to the flag lots with 10' or 15' frontage per Section 21.24.320 and lots along cul-de-sac streets with 40' frontage per Section 21.24.300. This Amended VTTM proposes to modify the number of lots that would be permitted to have less than 50 ft. of frontage on the street from 20 to 31 and their designations from lot numbers 12 through 16, 29, 57 through 64, 365, and 370 through 374 to the following: Lot numbers 12, 13, 15 through 19, 33, 34, 37, 55, 63 through 69, 78, 92, 95 through 99, 101, 244, 296, 298, 299, 307, 310 and 311.
- c. In the southwesterly portion of the project, it is proposed to leave the ridgeline and a portion of the southerly slope of Devils Canyon in their natural states by reducing the area of the building envelope and the future street grading in the area (see Sec. 4.1, Aesthetic and Visual resources, of FEIR). This will result in a reduction of approximately 600,000 cubic yards (cy) of grading and related truck hauling to the northerly portion of the project, a reduction of approximately 110,000 sf of retaining wall, and a reduction the number of lots in that area from 48 to 23. To maximize preservation of the ridgeline, it is proposed to modify the road standard for a portion of Poema Place, between Topanga Canyon Blvd. and the westerly end of the proposed bridge Poema Place bridge, from "Collector Street" standards (40 ft. of paved roadway, and 55ft. of right-of- way) to "Private Driveway & Fire Lane" standards (36 ft. of paved roadway, and 42 ft. of roadway easement), as shown on the Amended VTTM. This proposed modification meets both Los Angeles County Fire Department and Department of Public Works standards.
- d. As result of the elimination of approximately 600,000 cy of fill material for the northerly portion of project, three out of the four main north-south drainage courses will be left in their natural state, except for road crossings, as shown on the Amended VTTM (see Sec. 4.3, Biological Resources, of FEIR). Because the three drainage courses will be kept in their natural state, three debris basins will be eliminated, as well as storm drain pipe, and inlet and outlet structures, that were to be constructed within those drainage courses. As a result, the number of lots in the northwesterly portion of the project has been reduced from 91 to 68.
- e. Portions of the internal street system of the north portion of project have been re-oriented, and modified from "Residential" standards (36 ft. paved roadway and 51 ft. right-of-way, and 34 ft. paved roadway and 49 ft. right-of way) to "Private Driveway & Fire Lane" standards (36 ft. paved roadway, 42 ft. of roadway easement and 34 ft paved roadway and 38 ft of roadway easement), as shown on the Amended VTTM. This proposed modification meets both Los Angeles County Fire Department and Department of Public Works standards. These modifications substantially reduce the size and area of required retaining walls in this area by approximately 73,000 sf. As a result, the number of lots in that area has been reduced from 136 to 120, and the lot frontages have been increased from a minimum 50 to 60 feet wide, to a minimum 60 to 70 feet wide.
- f. Configuration of the site plan and lot layout for the central portion of the project has been left essentially unchanged, except that the number of lots has been increased from 100 to 101.
- g. The requested Amendment to VTTM No. 53138 seeks authorization for the following modifications to the VTTM No. 53138 Conditions of Approval. All other Conditions of Approval shall remain in effect for this Amended VTTM.
- Revise Condition #20 to read:



“Show Canoga Ave and Bullfinch Road, South of the proposed gates, Nogan Drive and Poema Place, from Canoga Ave to Cul-de-sac as dedicated streets on the final map.”

h. Revise Condition #21 to read:

“Show project access as Private Driveways and Fire Lanes on the final map.”

- Revise Condition #25 to read:

“Prior to recordation of any final unit map that includes Schindler Way, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend by Lot 255 from the northerly tract boundary to Private Driveway and Fire Lane Schindler Way, continuing to a public road, all as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 28 feet, and a maximum of 58 feet in width.”

- Revise Condition #26 to read:

i. “Prior to recordation of any final unit map that includes Schindler Way, submit evidence satisfactory to the Director that an easement for ingress, egress, and underground utility purposes will be recorded for the benefit of properties to the north of the project, including those commonly referred to as the "Deerlake Addition." The easement shall extend by Lot 337 from the northerly tract boundary to Private Driveway and Fire Lane, Schindler Way, continuing to a public road, all as shown on Vesting Tentative Tract Map No. 53138, and shall be a minimum of 36 feet, and a maximum of 58 feet in width.”

- Revise Condition #27 to read:

“Prior to recordation of any final unit map that includes "X" Street, submit evidence satisfactory to the Director that an easement for ingress, egress and underground utility purposes will be recorded for the benefit of properties to the north of the project. The easement shall extend from the northerly property line of the project site at Lot 7 of Section 6, through and over "X" Street, across and within those portions of all Private Driveway and Fire Lanes which are northerly of the depicted gate entries on Tract Map No. 53138, to a public road, and shall be 64 feet in width, including slope easements. The easement shall terminate if and when the County of Los Angeles accepts the applicant's offer of dedication of "X" Street.”

- Revise Condition #28 to read:

“Grant to all persons holding title to land within the County of Los Angeles and the heirs, successors, and assigns of said persons, as their interest may now or hereafter appear of record, a non-exclusive easement for ingress and egress, road, and utility purposes over the private driveways and fire lanes in this subdivision to the satisfaction of the Department of Public Works and the Department of Regional Planning.”

- Revise Condition #29 to read:

“Permission is granted to use the alternate street cross section to the satisfaction of the Department of Regional Planning and Department of Public Works for all public streets”

- Revise Condition #30 as follows:  
Revise Helispot lot number from #399 to #341
- Revise Condition #31 to read:  
“Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of residential and accessory structures over the lots designated as open space lots (Lots 315, 317-336, 338-340, 343, 344). Construction of recreational amenities is permitted subject to approval of plot plans by the Director of Planning. Recreational structures/facilities maybe constructed on portions of lots 315, 324, 336, and 343 subject to approval of plot plans by the Director. Water and Sewer structures/facilities may be constructed on lots 327 and 342. Drainage structures/facilities may be constructed within open space lots as shown on the drainage concept/hydrology study approved by the Department of Public Works .
- Revise Condition #32 as follows:  
Revise Sheriff’s Storefront Station lot number from #377 to #316
- Revise Condition #33 to read:  
“Provide for the ownership and maintenance of the open space lots (Lots 315, 317 through 336, 338 through 340, 342 through 344) by the homeowners' association or dedicate the open space lots to a public agency to the satisfaction of the Department of Regional Planning.”
- Revise Condition #36 to read:  
“Bond with the Department of Public Works for any recreational structures proposed for Lots 315 and 324 and the equestrian rest area within Lot 336.”

#### **4. Proposed Modification of Conditional Use Permit & Revised Exhibit “A”**

The requested Modification to CUP 99-239 (5), and Revised Exhibit “A”, seeks authorization for the following modifications to the CUP 99-239 Conditions of Approval. All other Conditions of Approval shall remain in effect for this CUP Modification.

- Revise Condition #1 to read:  
“This grant authorizes the use of the subject property for a total of 314 single-family residential lots, one debris basin lot, one helispot lot, one sheriffs storefront facility lot, one sewer pump station lot, 25 open space lots, one "remainder parcels," and project-associated infrastructure to be developed in compliance with hillside management and density-controlled development design review criteria, as depicted on the Revised Exhibit A, (dated March 24, 2004) as amended on September 16, 2008, and February 21, 2012) subject to the following conditions of approval.”
- Revise Condition #2 to read:  
“A minimum of 50 percent of the 314 lots, or 157 lots, shall be 15,000 square feet in size, or larger.”
- Revise Condition #16 to read:  
The subject property shall be graded, developed and maintained in substantial compliance

with the approved Exhibit A, which includes the tentative tract map (dated March 24, 2004, revised February 21, 2012), Community Character booklet (revised December 2012), and exhibit maps. Amended or revised tentative maps approved for Vesting Tentative Tract Map No. 53138 may, at the discretion of the Director, constitute a revised Exhibit A.

- Re vise Condition #20 to read:  
“Any future development of the lot designated as a remainder parcel shall be subject to the regulations in effect at the time of such development, including the provisions of sections 66410 et seq. of the California Government Code (Subdivision Map Act) and the requirements of the Subdivision and Zoning Ordinances.”
- Revise Conditions #22 to read:  
“Two private active use areas shall be provided on open space lots 315 and 324 to the satisfaction of the Director. Amenities such as benches, playground equipment or other similar features shall be provided as depicted on the approved Exhibit A.”
- Revise Conditions #23 to read:  
“A natural park area shall be provided on a portion of open space lot 343 as shown on the approved Exhibit A.”
- Revise Conditions #24 to read:  
“An equestrian rest area shall be provided and permanently maintained by the Homeowners' Association on the parcel within lot 336, as depicted on the approved Exhibit A. If necessary, an alternative location in the same general vicinity may be considered subject to the approval of a revised Exhibit A.”
- Revise Conditions #25 to read:  
“The permittee shall pay the Quimby in-lieu fee of \$ 342,720, as required by the Department of Parks and Recreation”
- Revise Conditions #56, 57 & 65:  
Revise all references to “A Street” to read “Poema Place”
- Revise Conditions #64 to read:  
“Pursuant to Chapter 22.72 of the County Code, pay a fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$638 per dwelling unit (\$638 x 314 dwelling units = \$200,332). The permittee or its successor in interest may contact the County Librarian at (562) 940-8430 regarding payment of fees.”
- Revise Conditions #3 & #26:  
Revise the number of equestrian lots that are specifically designated to accommodate horse keeping from 55 to 41. This requested reduction corresponds to the pro rata reduction in the number of lots that are suitable for equestrian use within the northwesterly portion of the project from 91 to 68 lots (i.e., 60 % of total lots are to be specifically designated to accommodate horse keeping). The revised conditions are to read as follows:

Condition #3: “A minimum of 41 lots shall be specifically designated to accommodate horse keeping”

Condition #26: “The area of individual lots shall substantially conform to that shown on

the approved Exhibit A and shall include at least 41 lots containing a minimum of 15,000 square feet and specifically designed to accommodate horse keeping. Each horse-keeping lot shall include a minimum area of 2,000 square feet designated specifically for horse keeping. No portion of the designated area shall be closer than 35 feet to any habitable structure and shall comply with the requirements of the County Code. Site plans depicting compliance shall be submitted to the Director prior to issuance of building permits.”

#### **5. Summary of New Oak Tree Permit ROAK #201200001**

- a. A new oak tree permit is required for this Amended VTTM because the limits of grading have been modified from the originally approved VTTM, as described in Paragraph 3, above, and as shown on the Amended VTTM and Revised Exhibit “A”.
- b. This new OTP authorizes the removal of 42 oak trees and encroachment into the protected zone of 13 oak trees, as shown in the Oak Tree Report by L. Newman Design Group, Inc., the consulting arborist, dated January 2012, and subject to all conditions stated in the report, and imposed by the County Forester.
- c. The applicant will not be required to mitigate for removal of trees unless they are of ordinance size upon removal. The project arborist shall notify the County Forester one week prior to scheduled removal so that final measurement of the tree can be made to determine the need to provide additional mitigation trees.
- d. Trenching, excavation or clearance of vegetation within the protected zone of an oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.”

#### **6. CEQA Addendum Findings Pertaining to Project Modifications**

CEQA Section 15164 authorizes a Lead Agency to prepare an Addendum to a previously certified Environmental Impact Report if changes or additions to the document are necessary, but none of the conditions described in Section 15162 are present, as described below:

- No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects
- No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new potentially significant environmental effects or a substantial increase the severity of previously identified potentially significant effects
- No new information of substantial importance, which was not known, and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
- The project will not have one or more significant effects not discussed in the previous EIR

- Potentially significant effects previously examined will not be substantially more severe than shown in the previous EIR
- No new mitigation measures or alternatives previously found to be infeasible have been found to be feasible but declined by the project proponent to be adopted
- No new mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR, and that would substantially reduce one or more potentially significant effects on the environment, have been found and declined by the project proponent to be adopted

The EIR adopted by the Board of Supervisors on August 10, 2004, analyzed the following potential project impacts: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Hydrology, Noise, Fire Department Services, Police Services, Schools, Libraries, Traffic, Water Services, Wastewater Services, Solid Waste, Electric and Gas Services. Impacts on all of these elements and/or services were found to be less than significant after appropriate mitigation, as identified in the approved FEIR and the Mitigation Monitoring Plan.

Following are comparisons between the originally approved project and the proposed modified project of the potential impacts identified in the FEIR:

#### COMPARISON OF IMPACTS

DESCRIPTION OF POTENTIAL IMPACTS	EXISTING 375-UNIT PROJECT	MODIFIED 314-UNIT PROJECT	DESCRIPTION OF MODIFICATIONS
<b>Project Description (FEIR Sec. 2.0)</b>	*375	*314	*Reduction of 61 residential units (16.3%)
<b>Aesthetics &amp; Visual Resources (FEIR Sec.4.1)</b>	*71.4 ac. Open space	*90.7 ac. Open space	* Addition of 19.3 ac. natural area (8.4%) *Preservation of portion of ridgeline within southwesterly portion of site
<b>Air Quality (FEIR Sec. 4.2)</b>	*2,505,000 cy grading  *375 units  *375 units	*1,660,000 cy grading\  *314 units  *314 units	* 33.7 % reduction in grading operation emissions  * 16.3% reduction in building construction emissions  * 16.3% reduction in long term vehicular emissions
<b>Biological Resources (FEIR Sec. 4.3)</b>	*71.4 ac. of open space *0.43 ac. of 404 permit impact	*90.7 ac. open space *0. 22_ ac. of 404 permit impact	*Addition of 19.3 ac. of natural area (8.4%)  * _48.8 _% less impact to US waters (404 Permit)
<b>Oak Trees (FEIR Sec. 4.3)</b>	* 45 oak trees removed *10 oak tree encroachments	* 42 oak trees removed *13 oak tree encroachments	*3 less oak tree removals  *3 more encroachments
<b>Cultural Resources (FEIR Sec. 4.4)</b>	*71.4 ac open space	*90.7 ac. open space	* Addition of 19.3 ac. of natural area

<b>Geology &amp; Soils (FEIR Sec. 4.5)</b>	*2,240,000 cy mass grading  *265,000 cy remedial grading  *269,000 sf retaining walls	*1,660,000 cy mass grading  *0 cy remedial grading  *86,000 sf retaining walls	*Reduction of 580,000 cy in mass grading (25.8%)  *Reduction of 265,000 cy remedial grading (100%)  *Reduction of 183,000 sf of retaining walls (68%)
<b>Hydrology (FEIR Sec. 4.6)</b>	*4 debris basins	*1 debris basin	*Reduction of 3 debris basins (75%)
<b>Noise (FEIR Sec. 4.7)</b>	*2,505,000 cy grading  375 units	*1,660,000 cy grading  314 units	*33.7% reduction in grading equipment impact  *16.3% reduction of bldg. constr. equipment impact
<b>Fire Protection Services (FEIR Sec. 4.8)</b>	*375 units	*314 units	*16.3% reduction in residential structures to serve
<b>DESCRIPTION OF POTENTIAL IMPACTS</b>	<b>EXISTING 375-UNIT PROJECT</b>	<b>MODIFIED 314-UNIT PROJECT</b>	<b>DESCRIPTION OF MODIFICATIONS</b>
<b>Police Protection Services (FEIR Sec. 4.9)</b>	*375 units	*314 units	*16.3% reduction in residential houses to serve
<b>Schools (FEIR Sec. 4.10)</b>	*375 units	*314 units	*Approximate 16% reduction in student generation (one student per house, all classes)
<b>Libraries (FEIR Sec. 4.11)</b>	*375 units	*314 units	*16.3% reduction in library demand
<b>Traffic (FEIR Sec. 4.12)</b>	*375 units	*314 units	*Reduction of 610 vehicle trips per day (16.3%) after build-out
<b>Potable Water (FEIR Sec. 4.13)</b>	*375 units	*314 units	*Reduction of 20,880 gal. per day of demand (16.3%)
<b>Wastewater (FEIR Sec. 4.14)</b>	*375 units	*314 units	*Reduction of 44,880 gal. day of sewage discharge (16.3%)
<b>Solid Waste (FEIR Sec. 4.15)</b>	*375 units	*314 units	*Reduction of 735 lbs./unit/day of solid waste per day (16.3%)
<b>Electric and Gas (FEIR Sec. 4.16 &amp; 4.17)</b>	*375 units	*314 units	16.3 % reduction of demand for gas and electricity

The Modified Project proposes to implement the same mitigation measures as the previous project where the measures are not related to the number of units, although the potential impacts of the Modified Project will be less. Where mitigation measures are specifically related to the number of units, the Modified Project will implement the same mitigation measures, but on an appropriate pro rata basis.

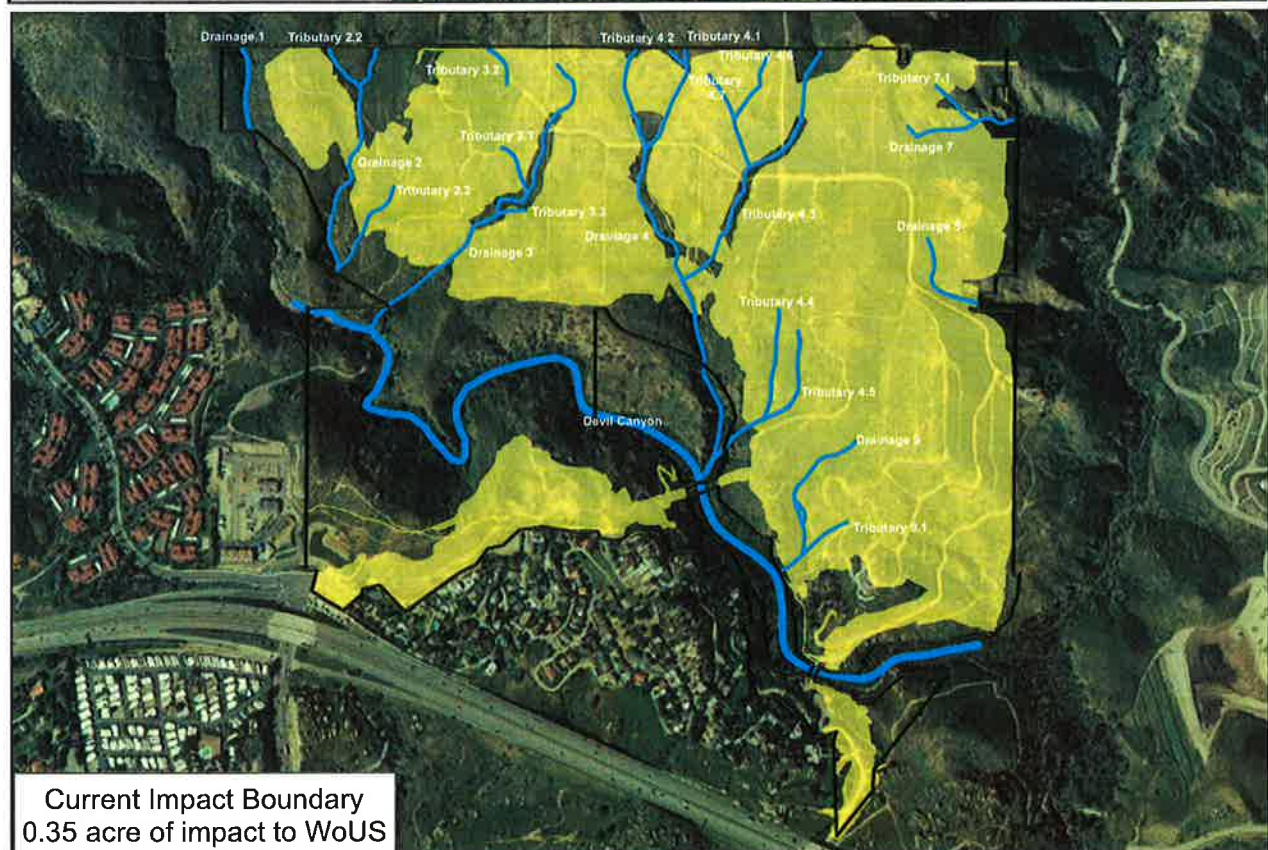
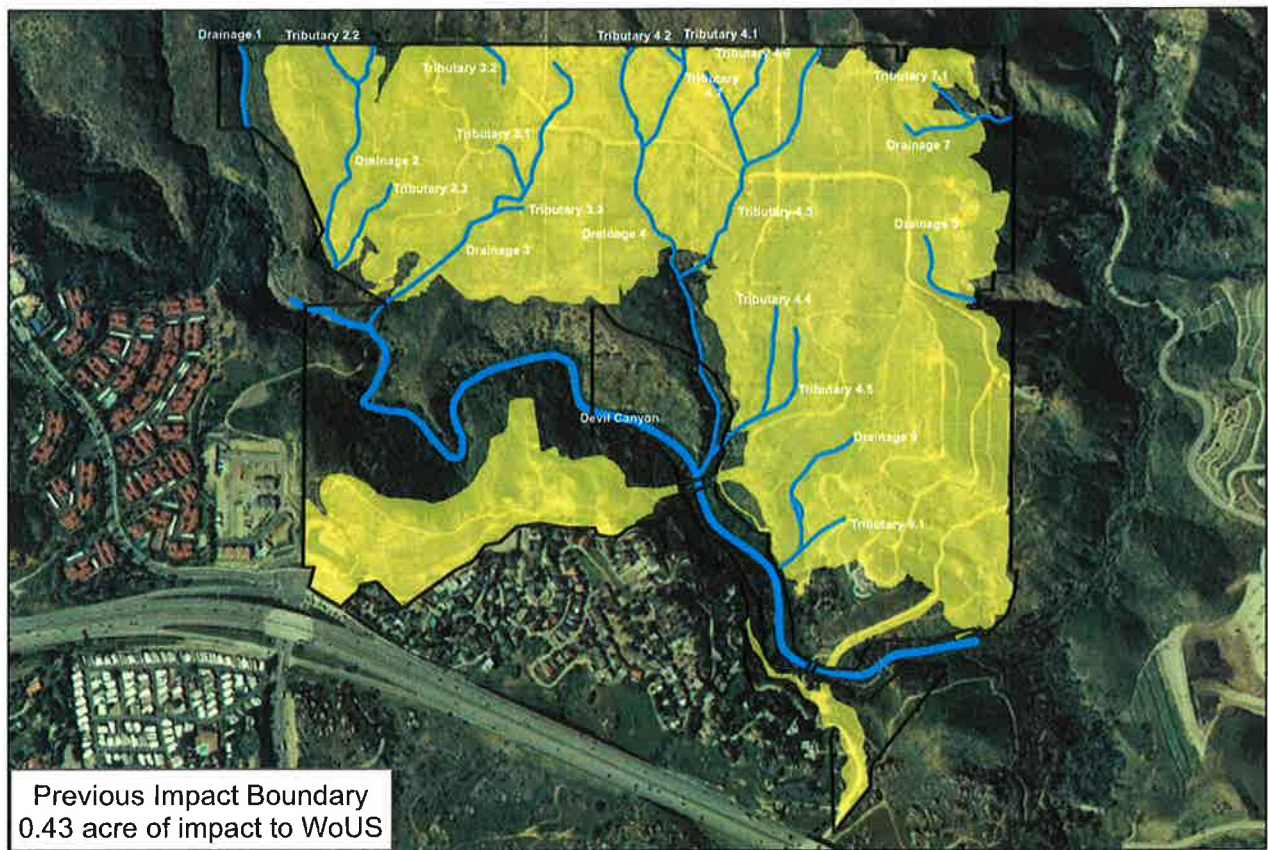
As shown above, these project modifications will result in the reduction of each potential impact identified in the original FEIR, and, therefore, will not cross the thresholds identified in Section 15162 of the California Environmental Quality Act (CEQA) that would require a subsequent EIR.

Therefore, this Project Amendment qualifies for an Addendum to the previously approved EIR, as authorized under CEQA Section 15164.




By: \_\_\_\_\_

Date: \_\_\_\_\_





## Legend

-  Project Boundary
-  Impact Boundary
-  Corps Waters of the U.S.

**DEERLAKE RANCH**  
 Impact Comparison Map

GLENN LUKOS ASSOCIATES

Exhibit 1



## - Addendum to FEIR p. 7 -

- Potentially significant effects previously examined will not be substantially more severe than shown in the previous EIR
- No new mitigation measures or alternatives previously found to be infeasible have been found to be feasible but declined by the project proponent to be adopted
- No new mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR, and that would substantially reduce one or more potentially significant effects on the environment, have been found and declined by the project proponent to be adopted

The EIR adopted by the Board of Supervisors on August 10, 2004, analyzed the following potential project impacts: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Hydrology, Noise, Fire Department Services, Police Services, Schools, Libraries, Traffic, Water Services, Wastewater Services, Solid Waste, Electric and Gas Services. Impacts on all of these elements and/or services were found to be less than significant after appropriate mitigation, as identified in the approved FEIR and the Mitigation Monitoring Plan.

Following are comparisons between the originally approved project and the proposed modified project of the potential impacts identified in the FEIR:

### COMPARISON OF IMPACTS

DESCRIPTION OF POTENTIAL IMPACTS	EXISTING 375-UNIT PROJECT	MODIFIED 314-UNIT PROJECT	DESCRIPTION OF MODIFICATIONS
Project Description (FEIR Sec. 2.0)	*375	*314	*Reduction of 61 residential units (16.3%)
Aesthetics & Visual Resources (FEIR Sec.4.1)	*71.4 ac. Open space	*90.7 ac. Open space	* Addition of 19.3 ac. natural area (8.4%) *Preservation of portion of ridgeline within southwesterly portion of site
Air Quality (FEIR Sec. 4.2)	*2,505,000 cy grading  *375 units  *375 units	*1,660,000 cy grading\  *314 units  *314 units	* 33.7 % reduction in grading operation emissions  * 16.3% reduction in building construction emissions  * 16.3% reduction in long term vehicular emissions
Biological Resources (FEIR Sec. 4.3)	*71.4 ac. of open space *0.43 ac. of 404 permit impact	*90.7 ac. open space *0.22 ac. of 404 permit impact	*Addition of 19.3 ac. of natural area (8.4%)  * _48.8_ % less impact to US waters (404 Permit)
Oak Trees (FEIR Sec. 4.3)	* 45 oak trees removed *10 oak tree encroachments	* 42 oak trees removed *13 oak tree encroachments	*3 less oak tree removals  *3 more encroachments
Cultural Resources (FEIR Sec. 4.4)	*71.4 ac open space	*90.7 ac. open space	* Addition of 19.3 ac. of natural area

Please revise to 0.35 acres